



The Journal OF THE *House of Representatives*

Number 39

Tuesday, April 29, 2014

The House was called to order by the Speaker at 12:00 p.m.

Prayer

The following prayer was offered by Pastor Marvin Charles Lue of Trinity Christian Methodist Episcopal Church of Miami, upon invitation of Rep. Stafford:

Our God, we are grateful for this day, this hour, this moment in time and our purpose for gathering, which is to do Your will for the good of the people who call the Sunshine State home. As we draw closer to the end of this session of servanthood, remind us from whence we've come and why we've come. We have come from the Panhandle and South Beach, the First Coast and the Gulf Coast, Midway and the Skyway, up Interstates 75, 95, 4 and the Turnpike, and have merged on to Interstate 10 to come to the Capitol to champion the cause of the constituents that You have charged to our care. Now, we ask You to give us compassion as we hear the needs of Your people, conviction as we speak on behalf of Your people, courage as we stand for Your people, cohesiveness as we work together for Your people, and confidence as we achieve change for the advancement of Your people.

Give us the strength to endure as we have come to make this state more than just 67 independent entities, represented here by 120 individuals in one Chamber and 40 in another, divided by aisles draped in red and blue; but rather allow us on this day to gather in this house under one banner of truth for one peninsula of progress that fulfills the promise of life, liberty, and pursuit of happiness for us all. We can and we shall do this until justice rolls down like waters and righteousness like an ever flowing stream. We can and we shall do this until we hew out stones of hope from mountains of despair. We can and we shall do this because to serve this present age is our calling to fulfill. We can and we shall do this because no weapon formed against us shall prosper. We can and we shall do this because we are more than conquerors. With this passion and desire to please You, we ask Your blessings. So let it be, and Amen.

The following members were recorded present:

Session Vote Sequence: 807

Speaker Weatherford in the Chair.

Yeas—118

Adkins	Boyd	Coley	Diaz, M.
Ahern	Bracy	Combee	Dudley
Albritton	Brodeur	Corcoran	Eagle
Antone	Broxson	Crisafulli	Edwards
Artiles	Caldwell	Cruz	Eisnaugle
Baxley	Campbell	Cummings	Fitzenhagen
Berman	Castor Dentel	Danish	Fresen
Beshears	Clarke-Reed	Davis	Fullwood
Bileca	Clelland	Diaz, J.	Gaetz

Gibbons	McGhee	Raschein	Stark
Gonzalez	Metz	Raulerson	Steube
Goodson	Moraitis	Ray	Stewart
Grant	Moskowitz	Reed	Stone
Hager	Murphy	Rehwinkel Vasilinda	Taylor
Harrell	Nelson	Renuart	Thurston
Hill	Núñez	Richardson	Tobia
Holder	Oliva	Roberson, K.	Torres
Hood	O'Toole	Rodrigues, R.	Trujillo
Hooper	Pafford	Rodríguez, J.	Van Zant
Hudson	Passidomo	Rogers	Waldman
Hutson	Patronis	Rooney	Watson, B.
Ingram	Perry	Rouson	Watson, C.
Jones, M.	Peters	Santiago	Weatherford
Jones, S.	Pigman	Saunders	Williams, A.
Kerner	Pilon	Schenck	Wood
La Rosa	Porter	Schwartz	Workman
Lee	Powell	Slosberg	Young
Magar	Pritchett	Smith	Zimmermann
Mayfield	Rader	Spano	
McBurney	Rangel	Stafford	

Nays—None

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Jameson Boswell of DeLand at the invitation of Rep. Taylor; Drake Davidson of Tallahassee at the invitation of Speaker *pro tempore*; Nestor Galbon of Fort Walton Beach at the invitation of Rep. Gaetz; and Riley Greenstein of Tallahassee at the invitation of Rep. Gibbons.

House Physician

The Speaker introduced Dr. Kyle M. Crofoot of Orlando, who served in the Clinic today upon invitation of Rep. Crisafulli.

Portrait Removal Ceremony

In recognition of the history of the House of Representatives, Speaker *pro tempore* Coley moved to retire the portrait of Speaker John W. Watson of 1901 and that it be preserved for posterity in the Historic Capitol, which was agreed to. The vote was:

Session Vote Sequence: 808

Speaker Weatherford in the Chair.

Yeas—114

Adkins	Edwards	Metz	Rooney
Ahern	Eisnaugle	Moraitis	Rouson
Albritton	Fitzenhagen	Moskowitz	Santiago
Antone	Fresen	Murphy	Schenck
Artiles	Fullwood	Nelson	Schwartz
Baxley	Gaetz	Nuñez	Slosberg
Berman	Gibbons	Oliva	Smith
Beshears	Gonzalez	O'Toole	Spano
Bileca	Goodson	Pafford	Stafford
Boyd	Grant	Passidomo	Stark
Bracy	Hager	Patronis	Steube
Brodeur	Harrell	Perry	Stewart
Broxson	Hill	Pigman	Stone
Caldwell	Holder	Pilon	Taylor
Campbell	Hood	Porter	Thurston
Castor Dentel	Hooper	Powell	Tobia
Clelland	Hudson	Pritchett	Torres
Coley	Hutson	Rader	Trujillo
Combee	Ingram	Rangel	Van Zant
Corcoran	Jones, M.	Raschein	Waldman
Crisafulli	Jones, S.	Raulerson	Watson, B.
Cruz	Kerner	Ray	Watson, C.
Cummings	La Rosa	Rehwinkel Vasilinda	Weatherford
Danish	Lee	Renuart	Williams, A.
Davis	Magar	Richardson	Wood
Diaz, J.	Mayfield	Roberson, K.	Workman
Diaz, M.	McBurney	Rodriguez, R.	Zimmermann
Dudley	McGhee	Rodriguez, J.	
Eagle	McKeel	Rogers	

Nays—None

Correction of the *Journal*

The *Journal* of April 29, 2014, was corrected and approved as corrected.

Reports of Standing Committees and Subcommittees

Reports of the Rules & Calendar Committee

The Honorable Will Weatherford
Speaker, House of Representatives

April 28, 2014

Dear Mr. Speaker:

Your Rules & Calendar Committee herewith submits the Special Order for Tuesday, April 29, 2014. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

CS for SB 1642 - Appropriations, Education
Education Accountability

CS/HB 7117 - Education Appropriations Subcommittee, Education
Committee, & others
School Accountability

SB 1636 - Criminal Justice
Renaming the Parole Commission

HB 7125 - Judiciary Committee, Baxley
Renaming of Parole Commission

CS for CS for SB 286 - Governmental Oversight and Accountability,
Regulated Industries, & others
Concrete Masonry Education

CS/CS/HB 147 - Economic Affairs Committee, Higher Education &
Workforce Subcommittee, & others
Concrete Masonry Education

SB 374 - Detert
Growth Management

HB 189 - Boyd, Steube
Growth Management

SB 356 - Thrasher, Altman, & others
Regulation of Public Lodging Establishments and Public Food
Service Establishments

CS/HB 307 - Local & Federal Affairs Committee, Hutson, & others
Regulation of Public Lodging Establishments & Public Food
Service Establishments

CS for CS for SB 230 - Appropriations, Transportation, & others
Orlando-Orange County Expressway Authority

CS/CS/HB 311 - Economic Affairs Committee, Transportation &
Highway Safety Subcommittee, & others
Orlando-Orange County Expressway Authority

CS for CS for CS for SB 218 - Transportation, Appropriations, &
others
Transportation

CS/HB 345 - Economic Affairs Committee, Beshears, & others
Transportation

CS for CS for CS for SB 272 - Appropriations, Community Affairs, &
others
Water Utilities

CS/HB 357 - Finance & Tax Subcommittee, Santiago
Water and Wastewater Utility Systems

SB 490 - Garcia
Motor Vehicle Liability Policy Requirements

CS/CS/HB 401 - Regulatory Affairs Committee, Transportation &
Highway Safety Subcommittee, & others
Noncancelable Insurance Policies

CS for SB 762 - Governmental Oversight and Accountability, Detert
Family Care Councils

CS/HB 715 - Health & Human Services Committee, Diaz, J.
Family Care Councils

CS for CS for SB 708 - Appropriations, Banking and Insurance, &
others
Insurance Claims

CS/CS/HB 743 - Regulatory Affairs Committee, Insurance & Banking
Subcommittee, & others
Property Insurance

CS for CS for CS for SB 702 - Appropriations, Judiciary, & others
Pharmacy Audits

CS/HB 745 - Appropriations Committee, Cummings, & others
Pharmacy Audits

SB 392 - Brandes, Clemens
State Speed Zones

HB 761 - Caldwell, Rooney
State Speed Zones

SB 386 - Hays
Application of Foreign Law in Courts

- HB 903 - Combee, Adkins, & others
Application of Foreign Law in Certain Cases
- CS for CS for SB 1070 - Transportation, Community Affairs, & others
Fuel Terminals
- CS/CS/HB 947 - Local & Federal Affairs Committee, Transportation
& Highway Safety Subcommittee, & others
Fuel Terminals
- CS for SB 1142 - Commerce and Tourism, Lee, & others
Ticket Sales
- CS/HB 1057 - Economic Development & Tourism Subcommittee,
Brodeur
Ticket Sales
- CS for SJR 1188 - Rules, Lee
Prospective Appointment of Judicial Vacancies
- CS for SB 1238 - Banking and Insurance, Richter
Family Trust Companies
- CS/CS/CS/HB 1267 - Regulatory Affairs Committee, Government
Operations Appropriations Subcommittee, & others
Family Trust Companies
- CS for CS for SB 1320 - Governmental Oversight and Accountability,
Banking and Insurance, & others
Public Records/Office of Financial Regulation
- CS/CS/CS/HB 1269 - Regulatory Affairs Committee, Government
Operations Subcommittee, & others
Public Records
- CS for CS for SB 1308 - Judiciary, Banking and Insurance, & others
Insurer Solvency
- CS/CS/HB 1271 - Regulatory Affairs Committee, Insurance &
Banking Subcommittee, & others
Insurer Solvency
- CS for SB 1190 - Children, Families, and Elder Affairs, Lee
Family Law
- CS/HB 1397 - Civil Justice Subcommittee, La Rosa
Family Law
- SB 1010 - Richter
Cable and Video Services
- CS/HB 4017 - Regulatory Affairs Committee, Rodrigues, R.
Cable and Video Services
- CS for SB 1140 - Military and Veterans Affairs, Space, and Domestic
Security, Hays
Public Records/Division of Emergency Management/Emergency
Planning
- CS/HB 7011 - Government Operations Subcommittee, Economic
Development & Tourism Subcommittee, & others
Pub. Rec./Emergency Planning/DEM
- CS for CS for SB 850 - Appropriations, Education, & others
Education
- CS/HB 7033 - Education Committee, K-12 Subcommittee, & others
Education
- CS for CS for SB 1524 - Rules, Commerce and Tourism, & others
Security of Confidential Personal Information
- CS/HB 7085 - Judiciary Committee, Civil Justice Subcommittee, &
others
Security of Confidential Personal Information
- CS for CS for SB 1526 - Rules, Judiciary, & others
Public Records/Department of Legal Affairs
- CS/CS/HB 7087 - Judiciary Committee, Government Operations
Subcommittee, & others
Pub. Rec./Notices of Data Breach and Investigations/DLA
- CS for CS for SB 450 - Appropriations, Agriculture, & others
Telephone Solicitation
- CS/CS/HB 1191 - Agriculture & Natural Resources Appropriations
Subcommittee, Business & Professional Regulation
Subcommittee, & others
Telephone Solicitation
- SB 1676 - Appropriations
Internal Revenue Code
- HB 7153 - Finance & Tax Subcommittee, Beshears
Adoption of Internal Revenue Code for purposes of Corporate
Income Tax
- SB 1664 - Judiciary
Arbitration
- HB 7161 - Civil Justice Subcommittee, Passidomo
Arbitration
- CS for CS for SB 440 - Judiciary, Regulated Industries, & others
Condominiums
- CS/CS/HB 425 - Business & Professional Regulation Subcommittee,
Civil Justice Subcommittee, & others
Condominiums
- CS for CS for SB 674 - Criminal Justice, Health Policy, & others
Background Screening
- CS/HB 463 - Judiciary Committee, Reed, & others
Background Screening
- CS for CS for SB 1036 - Education, Health Policy, & others
Nursing Education Programs
- CS/CS/CS/HB 1059 - Education Committee, Education
Appropriations Subcommittee, & others
Nursing Education Programs
- CS for SB 256 - Governmental Oversight and Accountability, Garcia
Public Records/Forensic Behavioral Health Evaluation
- CS/CS/HB 111 - Government Operations Subcommittee, Criminal
Justice Subcommittee, & others
Pub. Rec./Forensic Behavioral Health Evaluations
- CS for SB 358 - Rules, Ring
Athletic Coaches for Youth Athletic Teams
- CS/HB 139 - Criminal Justice Subcommittee, Jones, S., & others
Athletic Coaches for Youth Athletic Teams
- CS for CS for SB 1672 - Rules, Commerce and Tourism, & others
Property Insurance
- CS/CS/HB 1109 - Regulatory Affairs Committee, Insurance &
Banking Subcommittee, & others

Property Insurance

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,
Robert C. Schenck, Chair
Rules & Calendar Committee

On motion by Rep. Schenck, the above report was adopted.

Bills and Joint Resolutions on Third Reading

Consideration of CS/CS/HB 1161 was temporarily postponed.

Special Orders

CS for SB 1642—A bill to be entitled An act relating to education accountability; amending s. 1008.34, F.S.; providing definitions for the statewide, standardized assessment program and school grading system; deleting annual reports; revising authority over allocation of a school's budget based on school grades; revising the basis for the calculation of school grades; revising the contents of the school report card; revising the basis for the calculation of district grades; requiring the Department of Education to develop a district report card; providing for transition to the revised school grading system; amending s. 1001.42, F.S.; revising criteria that necessitate a school's improvement plan to include certain strategies; amending s. 1002.33, F.S.; revising cross-references; amending s. 1003.621, F.S.; revising cross-references; amending s. 1008.31, F.S.; revising legislative intent for the K-20 education performance accountability system; amending s. 1008.33, F.S.; conforming provisions relating to school improvement and education accountability; amending s. 1008.341, F.S.; revising provisions relating to the school improvement rating for alternative schools; amending s. 1008.3415, F.S.; correcting cross-references; amending s. 1008.22, F.S.; providing that a child with a medical complexity may be exempt from participating in statewide, standardized assessments under specified circumstances; defining the term "child with a medical complexity"; authorizing a parent to choose assessment exemption options; specifying the assessment exemption options; requiring the Commissioner of Education to report to the Legislature regarding the implementation of the exemption; requiring the State Board of Education to adopt rules; amending s. 1008.345, F.S.; revising the contents of the Commissioner of Education's report on school improvement and education accountability to include student learning growth information and intervention and support strategies; amending s. 1011.64, F.S.; correcting a cross-reference; amending s. 1008.22, F.S.; authorizing use of teacher-selected or principal selected assessments as a form of local assessment; requiring a district school board to adopt policies relating to selection, development, administration, and scoring of local assessments; amending s. 1012.34, F.S.; providing information to be included in annual reports on the approval and implementation status of school district personnel evaluation systems; revising provisions relating to the measurement of student learning growth for purposes of personnel evaluation; conforming State Board of Education rulemaking relating to performance evaluations; providing for transition to new statewide, standardized assessments; authorizing bonus rewards to school districts for progress toward educator effectiveness; amending s. 1012.341, F.S.; removing rulemaking authority and establishing a compliance verification process for the exemption from performance evaluation system, compensation, and salary schedule requirements; providing an effective date.

—was read the second time by title.

On motion by Rep. Adkins, the House agreed to substitute CS for SB 1642 for CS/HB 7117. Under rule 5.13, the House bill was laid on the table.

Representative Saunders offered the following:

(Amendment Bar Code: 337957)

Amendment 1—Remove line 457 and insert:
rating for the 2014-2015, 2015-2016, or 2016-2017 school years compared to the 2013-2014

Rep. Saunders moved the adoption of the amendment.

THE SPEAKER PRO TEMPORE IN THE CHAIR

The question recurred on the adoption of **Amendment 1**, which failed of adoption. The vote was:

Session Vote Sequence: 809

Representative Coley in the Chair.

Yeas—45

Antone	Gibbons	Rader	Stewart
Berman	Goodson	Rangel	Taylor
Bracy	Jones, M.	Reed	Thurston
Campbell	Jones, S.	Richardson	Torres
Castor Dentel	Kerner	Rodríguez, J.	Waldman
Clarke-Reed	Lee	Rogers	Watson, B.
Clelland	McGhee	Rouson	Watson, C.
Cruz	Moskowitz	Saunders	Williams, A.
Danish	Murphy	Schwartz	Zimmermann
Dudley	Pafford	Slosberg	
Edwards	Powell	Stafford	
Fullwood	Pritchett	Stark	

Nays—73

Adkins	Eagle	McBurney	Roberson, K.
Ahem	Eisnagle	McKeel	Rodriguez, R.
Albritton	Fitzenhagen	Metz	Rooney
Artiles	Fresen	Moraitis	Santiago
Baxley	Gaetz	Nelson	Schenck
Beshears	Gonzalez	Núñez	Smith
Bileca	Grant	Oliva	Spano
Boyd	Hager	O'Toole	Steube
Brodeur	Harrell	Passidomo	Stone
Broxson	Hill	Patronis	Tobia
Caldwell	Holder	Perry	Trujillo
Coley	Hood	Peters	Van Zant
Combee	Hooper	Pigman	Weatherford
Corcoran	Hudson	Pilon	Wood
Crisafulli	Hutson	Porter	Workman
Cummings	Ingram	Raschein	Young
Davis	La Rosa	Raulerson	
Diaz, J.	Magar	Ray	
Diaz, M.	Mayfield	Renuart	

Representative Saunders offered the following:

(Amendment Bar Code: 708905)

Amendment 2 (with title amendment)—Between lines 1182 and 1183, insert:

Section 14. Notwithstanding any other provision in this section, evaluations for instructional personnel pursuant to this act shall not be used to determine job performance or be used in salary negotiations until after the 2016-2017 school year.

TITLE AMENDMENT

Remove line 56 and insert:
educator effectiveness; restricting personnel evaluations; amending s. 1012.341, F.S.

Rep. Saunders moved the adoption of the amendment. Subsequently, **Amendment 2** was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

SB 1636—A bill to be entitled An act relating to renaming the Parole Commission; providing legislative findings; renaming the Parole Commission as the Florida Commission on Offender Review; providing a directive to the Division of Law Revision and Information; amending ss. 20.315, 20.32, 23.21, 98.093, 186.005, 255.502, 322.16, 394.926, 394.927, 633.304, 775.089, 775.16, 784.07, 784.078, 800.09, 843.01, 843.02, 843.08, 893.11, 921.16, 921.20, 921.21, 921.22, 940.03, 940.05, 940.061, 941.23, 943.0311, 943.06, 944.012, 944.02, 944.171, 944.4731, 945.091, 945.10, 945.47, 945.73, 947.005, 947.01, 947.02, 947.021, 947.045, 947.141, 947.146, 947.181, 947.185, 947.22, 948.09, 948.10, 949.05, 951.29, 957.06, 958.045, 960.001, 960.17, 985.04, and 985.045, F.S.; conforming provisions to changes made by the act; making technical changes; providing an effective date.

—was read the second time by title.

On motion by Rep. Baxley, the House agreed to substitute SB 1636 for HB 7125. Under rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for SB 286—A bill to be entitled An act relating to concrete masonry education; providing a short title; creating the Florida Concrete Masonry Education Council, Inc.; requiring the council to operate under a written contract with the Department of Economic Opportunity; providing powers and duties of the council; providing restrictions; providing for appointment and terms of the governing board of the council; authorizing the council to accept grants, donations, contributions, and gifts under certain circumstances; authorizing the council to make payments to other organizations under certain circumstances; providing for collection of a voluntary assessment on concrete masonry units; requiring manufacturers who elect to pay the assessment to commit to paying the assessment for a specified period; requiring the council to adopt bylaws; providing for the adoption of bylaws and amendments to bylaws; providing an effective date.

—was read the second time by title.

On motion by Rep. Caldwell, the House agreed to substitute CS for CS for SB 286 for CS/CS/HB 147. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

SB 374—A bill to be entitled An act relating to growth management; amending s. 163.3167, F.S.; revising restrictions on an initiative or referendum process with regard to local comprehensive plan amendments and map amendments; providing an effective date.

—was read the second time by title.

On motion by Rep. Boyd, the House agreed to substitute SB 374 for HB 189. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

SB 356—A bill to be entitled An act relating to the regulation of public lodging establishments and public food service establishments; amending s. 509.032, F.S.; prohibiting a local law, ordinance, or regulation from limiting the frequency of rentals or setting a minimum stay requirement for a vacation rental of greater than 7 days; providing an exception for certain laws, ordinances, or regulations; removing the preemption preventing local laws, ordinances, or regulations from regulating the use of vacation rentals based solely on their classification, use, or occupancy; providing an effective date.

—was read the second time by title.

On motion by Rep. Hutson, the House agreed to substitute SB 356 for CS/HB 307. Under Rule 5.13, the House bill was laid on the table.

Representative Hutson offered the following:

(Amendment Bar Code: 486775)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (7) of section 509.032, Florida Statutes, is amended to read:

509.032 Duties.—

(7) PREEMPTION AUTHORITY.—

(a) The regulation of public lodging establishments and public food service establishments, including, but not limited to, sanitation standards, inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is preempted to the state. This paragraph does not preempt the authority of a local government or local enforcement district to conduct inspections of public lodging and public food service establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code, pursuant to ss. 553.80 and 633.206.

(b) A local law, ordinance, or regulation may not ~~restrict the use of vacation rentals~~, prohibit vacation rentals; or regulate the duration or frequency of rental of vacation rentals ~~based solely on their classification, use, or occupancy~~. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.

(c) Paragraph (b) does not apply to any local law, ordinance, or regulation exclusively relating to property valuation as a criterion for vacation rental if the local law, ordinance, or regulation is required to be approved by the state land planning agency pursuant to an area of critical state concern designation.

Section 2. This act shall take effect July 1, 2014.

TITLE AMENDMENT

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to the regulation of public lodging establishments and public food service establishments; amending s. 509.032, F.S.; revising the permitted scope of local laws, ordinances, and regulations regarding vacation rentals; providing an effective date.

Rep. Hutson moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for SB 230—A bill to be entitled An act relating to the Orlando-Orange County Expressway Authority; amending ss. 348.751 and 348.752, F.S.; renaming the Orlando-Orange County Expressway System as the "Central Florida Expressway System"; revising definitions; making technical changes; amending s. 348.753, F.S.; creating the Central Florida Expressway Authority; providing for the transfer of governance and control, legal rights and powers, responsibilities, terms, and obligations to the authority; providing conditions for the transfer; revising the composition of the governing body of the authority; providing for appointment of officers of the authority and for the expiration of terms of standing board members; revising quorum and voting requirements; conforming terminology and making technical changes; prohibiting a member or the executive director of the authority from personally representing certain persons or entities for a specified time period; prohibiting a retired or terminated member or executive director of the authority from contracting with a business entity under certain circumstances; requiring authority board members, employees, and consultants to make certain annual disclosures; requiring an ethics officer to review such disclosures; requiring the authority code of ethics to include a conflict of interest process; prohibiting authority employees and consultants from serving on the board during their employment or contract period; requiring the code of ethics to be reviewed and updated at least every 2 years; requiring employees to participate in ongoing ethics education; providing penalties; amending s. 348.754, F.S.; providing that the area served by the authority is within the geopolitical boundaries of Orange, Seminole, Lake,

and Osceola Counties; requiring the authority to have prior consent from the Secretary of the Department of Transportation to construct an extension, addition, or improvement to the expressway system in Lake County; extending, to 99 years from 40 years, the term of a lease-purchase agreement; limiting the authority's authority to enter into a lease-purchase agreement; limiting the use of certain toll-revenues; providing exceptions; removing the requirement that the route of a project must be approved by a municipality before the right-of-way can be acquired; requiring that the authority encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities; removing the authority and criteria for an authority to waive payment and performance bonds for certain public works projects that are awarded pursuant to an economic development program; conforming terminology and making technical changes; amending ss. 348.7543, 348.7544, 348.7545, 348.7546, 348.7547, 348.755, and 348.756, F.S.; conforming terminology and making technical changes; amending s. 348.757, F.S.; providing that upon termination of the lease-purchase agreement of the former Orlando-Orange County Expressway System, title in fee simple to the former system shall be transferred to the state; conforming terminology and making technical changes; amending ss. 348.758, 348.759, 348.760, 348.761, and 348.765, F.S.; conforming terminology and making technical changes; amending s. 348.9953, F.S.; limiting the purpose and powers of the Osceola County Expressway Authority; providing for the termination of the Osceola County Expressway Authority by a specified time period; prohibiting the authority from extending the Poinciana Parkway beyond a specified limit; amending s. 369.317, F.S.; conforming terminology and making technical changes; amending s. 369.324, F.S.; revising the membership of the Wekiva River Basin Commission; conforming terminology; providing criteria for the transfer of the Osceola County Expressway System to the Central Florida Expressway Authority; providing for the repeal of part V of ch. 348, F.S., when the Osceola County Expressway System is transferred to the Central Florida Expressway Authority; requiring the Central Florida Expressway Authority to reimburse other governmental entities for obligations related to the Osceola County Expressway System; excluding certain obligations and payments of Osceola County regarding the Poinciana Parkway; providing for reimbursement after payment of other obligations; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was read the second time by title.

On motion by Rep. Nelson, the House agreed to substitute CS for CS for SB 230 for CS/CS/HB 311. Under Rule 5.13, the House bill was laid on the table.

Representative La Rosa offered the following:

(Amendment Bar Code: 462213)

Amendment 1 (with title amendment)—Remove lines 197-1343 and insert:

(b) It is the intent of the Legislature that the Central Florida Expressway Authority, upon its formation, be the successor party to the Orlando-Orange County Expressway Authority under the land acquisition contract dated November 11, 2013, and be subject to all terms and provisions, including conditions precedent and rights of termination, stated in the contract.

(c) The transfer pursuant to this subsection is subject to the terms and covenants provided for the protection of the holders of the Orlando-Orange County Expressway Authority bonds in the lease-purchase agreement and the resolutions adopted in connection with the issuance of the bonds. Further, the transfer does not impair the terms of the contract between the Orlando-Orange County Expressway Authority and the bondholders, does not act to the detriment of the bondholders, and does not diminish the security for the bonds. After the transfer, the Central Florida Expressway Authority shall operate and maintain the expressway system and any other facilities of the Orlando-Orange County Expressway Authority in accordance with the terms, conditions, and covenants contained in the bond resolutions and lease-purchase agreement securing the bonds of the authority. The Central Florida

Expressway Authority shall collect toll revenues and apply them to the payment of debt service as provided in the bond resolution securing the bonds, and shall expressly assume all obligations relating to the bonds to ensure that the transfer will have no adverse impact on the security for the bonds. The transfer does not make the obligation to pay the principal and interest on the bonds a general liability of the Central Florida Expressway Authority or pledge additional expressway system revenues to payment of the bonds. Revenues that are generated by the expressway system and other facilities of the Central Florida Expressway Authority which were pledged by the Orlando-Orange County Expressway Authority to payment of the bonds will remain subject to the pledge for the benefit of the bondholders. The transfer does not modify or eliminate any prior obligation of the department to pay certain costs of the expressway system from sources other than revenues of the expressway system.

(3)(2) The governing body of the authority shall consist of nine ~~five~~ members. ~~The chairs of the boards of the county commissions of Seminole, Lake, and Osceola Counties shall each appoint one member, who may be a commission member or chair. The Mayor of Orange County shall appoint a member from the Orange County Commission. The Governor shall appoint three citizen~~ ~~Three~~ members, each of whom must be a citizen of either Orange County, Seminole County, Lake County, or Osceola County ~~shall be citizens of Orange County, who shall be appointed by the Governor. The eighth fourth member must shall be, ex officio, the Mayor of chair of the County Commissioners of Orange County. The ninth member must be the Mayor of the City of Orlando. The executive director of Florida Turnpike Enterprise shall serve as a nonvoting advisor to the governing body of the authority, and the fifth member shall be, ex officio, the district secretary of the Department of Transportation serving in the district that contains Orange County. The term of Each appointed member appointed by the Governor shall serve be for 4 years. Each county-appointed member shall serve for 2 years. The terms of standing board members expire upon the effective date of this act. Each appointed member shall hold office until his or her successor has been appointed and has qualified. A vacancy occurring during a term must shall be filled only for the balance of the unexpired term. Each appointed member of the authority shall be a person of outstanding reputation for integrity, responsibility, and business ability, but, except as provided in this subsection, a no person who is an officer or employee of a municipality or any city or of Orange county may not in any other capacity shall be an appointed member of the authority. Any member of the authority is shall be eligible for reappointment.~~

(4)(3)(a) The authority shall elect one of its members as chair of the authority. The authority shall also elect one of its members as vice chair, one of its members as a secretary, and one of its members as a treasurer ~~who may or may not be members of the authority~~. The chair, vice chair, secretary, and treasurer shall hold such offices at the will of the authority. ~~Five Three~~ members of the authority shall constitute a quorum, and the vote of ~~five three~~ members is shall be necessary for any action taken by the authority. ~~A No~~ vacancy in the authority does not shall impair the right of a quorum of the authority to exercise all of the rights and perform all of the duties of the authority.

(b) Upon the effective date of his or her appointment, or as soon thereafter as practicable, each appointed member of the authority shall enter upon his or her duties. Members of the authority may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(c) Members of the authority are entitled to receive reimbursement from the authority for travel and other necessary expenses incurred in connection with the business of the authority as provided in s. 112.061, but may not draw salaries or other compensation.

(5)(4)(a) The authority may employ an executive secretary, an executive director, its own counsel and legal staff, technical experts, and the ~~such~~ engineers; and ~~such~~ employees ~~that, permanent or temporary, as it requires. The authority may require and~~ may determine the qualifications and fix the compensation of such persons, firms, or corporations, and may employ a fiscal agent or agents; ~~provided, however, that the authority shall solicit sealed proposals from at least three persons, firms, or corporations for the performance of any services as fiscal agents. The authority may delegate to one or more of its agents or employees the such of its power as it deems shall~~

~~deem~~ necessary to carry out the purposes of this part, ~~subject always to the supervision and control of the authority. Members of the authority may be removed from their office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.~~

(b) ~~Members of the authority shall be entitled to receive from the authority their travel and other necessary expenses incurred in connection with the business of the authority as provided in s. 112.061, but they shall draw no salaries or other compensation.~~

(6) A member or the executive director of the authority may not:

(a) ~~Personally represent another person or entity for compensation before the authority for a period of 2 years following vacation of his or her position.~~

(b) ~~After retirement or termination, have an employment or contractual relationship with a business entity other than an agency as defined in s. 112.312, in connection with a contract in which the member or executive director personally and substantially participated in through decision, approval, disapproval, recommendation, rendering of advice, or investigation while he or she was a member or employee of the authority.~~

(7) ~~The authority's general counsel shall serve as the authority's ethics officer.~~

(8) ~~Authority board members, employees, and consultants who hold positions that may influence authority decisions shall refrain from engaging in any relationship that may adversely affect their judgment in carrying out authority business. To prevent such conflicts of interest and preserve the integrity and transparency of the authority to the public, the following disclosures must be made annually on a disclosure form:~~

(a) ~~Any relationship a board member, employee, or consultant has which affords a current or future financial benefit to such board member, employee, or consultant, or to a relative or business associate of such board member, employee, or consultant, and which a reasonable person would conclude has the potential to create a prohibited conflict of interest. As used in this subsection, the term "relative" has the same meaning as in s. 112.312.~~

(b) ~~Whether a relative of a board member, employee, or consultant is a registered lobbyist, and if so, the names of the lobbyist's clients. Such names shall be provided in writing to the ethics officer.~~

(c) ~~Any and all interests in real property that a board member, employee, or consultant has, or that a relative, principal, client, or business associate of such board member, employee, or consultant has, if such real property is located within, or within a one-half mile radius of, any actual or prospective authority roadway project. The executive director shall provide a corridor map and a property ownership list reflecting the ownership of all real property within the disclosure area, or an alignment map with a list of associated owners, to all board members, employees, and consultants.~~

(9) ~~The disclosure forms required under subsection (8) must be reviewed by the ethics officer or, if a form is filed by the general counsel, by the executive director.~~

(10) ~~The conflict of interest process shall be outlined in the authority's code of ethics.~~

(11) ~~Authority employees and consultants are prohibited from serving on the governing body of the authority while employed by or under contract with the authority.~~

(12) ~~The code of ethics policy shall be reviewed and updated by the ethics officer and presented for board approval at a minimum of once every 2 years.~~

(13) ~~Employees shall be adequately informed and trained on the code of ethics and shall continually participate in ongoing ethics education.~~

(14) ~~The requirements in subsections (6) through (13) are in addition to the requirements that the members and the executive director of the authority are required to follow under chapter 112.~~

(15) ~~Violations of subsections (6), (8), and (11) are punishable in accordance with s. 112.317.~~

Section 4. Section 348.754, Florida Statutes, is amended to read:

348.754 Purposes and powers.—

(1)(a) ~~The authority created and established under by the provisions of this part is hereby granted and has shall have~~ the right to acquire, hold, construct, improve, maintain, operate, own, and lease in the capacity of lessor; the Central Florida Orlando-Orange County Expressway System, hereinafter referred to as "system." Except as otherwise specifically provided by law, including paragraph (2)(n), the area served by the authority shall be within

the geographical boundaries of Orange, Seminole, Lake, and Osceola Counties.

(b) ~~It is the express intention of this part that said authority.~~ In the construction of the Central Florida Orlando-Orange County Expressway System, the authority may shall be authorized to construct any extensions, additions, or improvements to the said system or appurtenant facilities, including all necessary approaches, roads, bridges, and avenues of access, rapid transit, trams, fixed guideways, thoroughfares, and boulevards with any such changes, modifications, or revisions of the said project which are as shall be deemed desirable and proper.

(c) Notwithstanding any other provision of this section to the contrary, to ensure the continued financial feasibility of the portion of the Wekiva Parkway to be constructed by the department, the authority may not, without the prior consent of the secretary of the department, construct any extensions, additions, or improvements to the expressway system in Lake County.

(2) ~~The authority is hereby granted, and shall have and~~ may exercise all powers necessary, appurtenant, convenient, or incidental to the implementation carrying out of the stated aforesaid purposes, including, but not without being limited to, the following rights and powers:

(a) To sue and be sued, implead and be impleaded, complain and defend in all courts.

(b) To adopt, use, and alter at will a corporate seal.

(c) To acquire by donation or otherwise, purchase, hold, lease as lessee, and use any franchise or any property, real, personal, ~~or~~ mixed, or tangible or intangible, or any options thereof in its own name or in conjunction with others, or interest in those options therein, necessary or desirable to carry for carrying out the purposes of the authority, and to sell, lease as lessor, transfer, and dispose of any property or interest in the property therein at any time acquired by it.

(d) To enter into and make leases for terms not exceeding 99 years, as ~~either~~ lessee or lessor, in order to carry out the right to lease as specified set forth in this part.

(e) To enter into and make lease-purchase agreements with the department for terms not exceeding ~~99~~ 40 years, or until any bonds secured by a pledge of rentals pursuant to the agreement thereunder, and any refundings pursuant to the agreement thereof, are fully paid as to both principal and interest, whichever is longer. The authority is a party to a lease-purchase agreement between the department and the authority dated December 23, 1985, as supplemented by a first supplement to the lease-purchase agreement dated November 25, 1986, and a second supplement to the lease-purchase agreement dated October 27, 1988. The authority may not enter into other lease-purchase agreements with the department and may not amend the existing agreement in a manner that expands or increases the department's obligations unless the department determines that the agreement or amendment is necessary to permit the refunding of bonds issued before July 1, 2013.

(f) To fix, alter, charge, establish, and collect rates, fees, rentals, and other charges for the services and facilities of the Central Florida Orlando-Orange County Expressway System; which must rates, fees, rentals and other charges shall always be sufficient to comply with any covenants made with the holders of any bonds issued pursuant to this part; provided, however, that such right and power may be assigned or delegated; by the authority; to the department. Toll revenues attributable to an increase in the toll rates charged on or after the effective date of this act for the use of a portion of the system may not be used to construct or expand a different portion of the system unless a two-thirds majority of the members of the authority votes to approve such use. This requirement does not apply if, and to the extent that:

1. Application of the requirement would violate any covenant established in a resolution or trust indenture under which bonds were issued by the Orlando-Orange County Expressway Authority on or before the effective date of this act; or

2. Application of the requirement would cause the authority to be unable to meet its obligations under the terms of the memorandum of understanding between the authority and the department as ratified by the Orlando-Orange County Expressway Authority board on February 22, 2012.

Notwithstanding s. 338.165, and except as otherwise prohibited by this part, to the extent revenues of the expressway system exceed amounts required to comply with any covenants made with the holders of bonds issued pursuant to this part, revenues may be used for purposes enumerated in subsection (6), provided the expenditures are consistent with the metropolitan planning organization's adopted long-range plan.

(g) To borrow money, make and issue negotiable notes, bonds, refunding bonds, and other evidences of indebtedness or obligations, either in temporary or definitive form, ~~hereinafter in this chapter sometimes called "bonds" of the authority,~~ for the purpose of financing all or part of the improvement or extension of the ~~Central Florida Orlando Orange County~~ Expressway System, and appurtenant facilities, including all approaches, streets, roads, bridges, and avenues of access for ~~the Central Florida said Orlando Orange County~~ Expressway System and for any other purpose authorized by this part, ~~said bonds to mature in not exceeding 40 years from the date of the issuance thereof,~~ and to secure the payment of such bonds or any part thereof by a pledge of any or all of its revenues, rates, fees, rentals, or other charges, including all or any portion of the Orange County gasoline tax funds received by the authority pursuant to ~~the terms of~~ any lease-purchase agreement between the authority and the department; and in general to provide for the security of ~~the said~~ bonds and the rights and remedies of the holders thereof. ~~Provided,~~ However, ~~that~~ no portion of the Orange County gasoline tax funds may ~~shall~~ be pledged for the construction of any project for which a toll is to be charged unless the anticipated toll ~~is~~ ~~tolls are~~ reasonably estimated by the board of county commissioners, at the date of its resolution pledging ~~the said~~ funds, to be sufficient to cover the principal and interest of such obligations during the period when ~~the said~~ pledge of funds ~~is~~ ~~shall be~~ in effect. The bonds issued under this paragraph must mature not more than 40 years after their issue date.

1. The authority shall reimburse Orange County for any sums expended from ~~the said~~ gasoline tax funds used for the payment of such obligations. Any gasoline tax funds so disbursed ~~must~~ ~~shall~~ be repaid when the authority deems it practicable, together with interest at the highest rate applicable to any obligations of the authority.

2. If, pursuant to this section, ~~in the event~~ the authority funds shall determine to fund or refunds refund any bonds previously theretofore issued by the said authority; or the by said commission before the bonds mature as aforesaid prior to the maturity thereof, the proceeds of such funding or refunding must bonds shall, pending the prior redemption of these the bonds to be funded or refunded, be invested in direct obligations of the United States; and it is the express intention of this part that such outstanding bonds may be funded or refunded by the issuance of bonds pursuant to this part.

(h) To make contracts ~~of every name and nature,~~ including, but not limited to, partnerships providing for participation in ownership and revenues, and to execute all instruments necessary or convenient for conducting the carrying on of its business.

(i) Notwithstanding paragraphs (a)-(h), Without limitation of the foregoing, to borrow money and accept grants from, and to enter into contracts, leases, or other transactions with any federal agency, the state, any agency of the state, the County of Orange, the City of Orlando, or with any other public body of the state.

(j) To have the power of eminent domain, including the procedural powers granted under both chapters 73 and 74.

(k) To pledge, hypothecate, or otherwise encumber ~~all or~~ any part of the revenues, rates, fees, rentals, or other charges or receipts of the authority, including all or any portion of the Orange County gasoline tax funds received by the authority pursuant to the terms of any lease-purchase agreement between the authority and the department, as security for ~~all or~~ any of the obligations of the authority.

(l) To enter into partnership and other agreements respecting ownership and revenue participation in order to facilitate financing and constructing the Western Beltway, or portions thereof.

(m) To do ~~everything all acts and things~~ necessary or convenient for the conduct of its business and the general welfare of the authority, in order to comply with carry out the powers granted to it by this part or any other law.

(n) With the consent of the county within whose jurisdiction the following activities occur, the authority shall have the right to construct, operate, and

maintain roads, bridges, avenues of access, transportation facilities, thoroughfares, and boulevards outside the jurisdictional boundaries of Orange, Seminole, Lake, and Osceola Counties ~~County,~~ together with the right to construct, repair, replace, operate, install, and maintain electronic toll payment systems thereon, ~~with all necessary and incidental powers to accomplish the foregoing.~~

(3) The authority ~~does not shall have the no power at any time or in any manner~~ to pledge the credit or taxing power of the state or any political subdivision or agency thereof, including any city and any county ~~the City of Orlando and the County of Orange,~~ nor may ~~nor shall~~ any of the authority's obligations be deemed to be obligations of the state or of any political subdivision or agency thereof, nor may ~~nor shall~~ the state or any political subdivision or agency thereof, except the authority, be liable for the payment of the principal of or interest on such obligations.

~~(4) Anything in this part to the contrary notwithstanding, acquisition of right-of-way for a project of the authority which is within the boundaries of any municipality in Orange County shall not be begun unless and until the route of said project within said municipality has been given prior approval by the governing body of said municipality.~~

~~(4)(5) The authority has shall have no power other than by consent of an affected Orange county or any affected city, to enter into any agreement which would legally prohibit the construction of a any road by the respective county or city Orange County or by any city within Orange County.~~

(5) The authority shall encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities.

~~(6)(a) The authority may, within the right-of-way of the expressway system, finance or refinance the planning, design, acquisition, construction, extension, rehabilitation, equipping, preservation, maintenance, or improvement of an intermodal facility or facilities, a multimodal corridor or corridors, or any programs or projects that will improve the levels of service on the expressway system Notwithstanding s. 255.05, the Orlando Orange County Expressway Authority may waive payment and performance bonds on construction contracts for the construction of a public building, for the prosecution and completion of a public work, or for repairs on a public building or public work that has a cost of \$500,000 or less and when the project is awarded pursuant to an economic development program for the encouragement of local small businesses that has been adopted by the governing body of the Orlando Orange County Expressway Authority pursuant to a resolution or policy.~~

~~(b) The authority's adopted criteria for participation in the economic development program for local small businesses requires that a participant:~~

- ~~1. Be an independent business.~~
- ~~2. Be principally domiciled in the Orange County Standard Metropolitan Statistical Area.~~
- ~~3. Employ 25 or fewer full time employees.~~
- ~~4. Have gross annual sales averaging \$3 million or less over the immediately preceding 3 calendar years with regard to any construction element of the program.~~
- ~~5. Be accepted as a participant in the Orlando Orange County Expressway Authority's microcontracts program or such other small business program as may be hereinafter enacted by the Orlando Orange County Expressway Authority.~~

~~6. Participate in an educational curriculum or technical assistance program for business development that will assist the small business in becoming eligible for bonding.~~

~~(c) The authority's adopted procedures for waiving payment and performance bonds on projects with values not less than \$200,000 and not exceeding \$500,000 shall provide that payment and performance bonds may only be waived on projects that have been set aside to be competitively bid on by participants in an economic development program for local small businesses. The authority's executive director or his or her designee shall determine whether specific construction projects are suitable for:~~

- ~~1. Bidding under the authority's microcontracts program by registered local small businesses; and~~
- ~~2. Waiver of the payment and performance bond.~~

The decision of the authority's executive director or deputy executive director to waive the payment and performance bond shall be based upon his or her investigation and conclusion that there exists sufficient competition so that the authority receives a fair price and does not undertake any unusual risk with respect to such project.

(d) For any contract for which a payment and performance bond has been waived pursuant to the authority set forth in this section, the Orlando Orange County Expressway Authority shall pay all persons defined in s. 713.01 who furnish labor, services, or materials for the prosecution of the work provided for in the contract to the same extent and upon the same conditions that a surety on the payment bond under s. 255.05 would have been obligated to pay such persons if the payment and performance bond had not been waived. The authority shall record notice of this obligation in the manner and location that surety bonds are recorded. The notice shall include the information describing the contract that s. 255.05(1) requires be stated on the front page of the bond. Notwithstanding that s. 255.05(9) generally applies when a performance and payment bond is required, s. 255.05(9) shall apply under this subsection to any contract on which performance or payment bonds are waived and any claim to payment under this subsection shall be treated as a contract claim pursuant to s. 255.05(9).

(e) A small business that has been the successful bidder on six projects for which the payment and performance bond was waived by the authority pursuant to paragraph (a) shall be ineligible to bid on additional projects for which the payment and performance bond is to be waived. The local small business may continue to participate in other elements of the economic development program for local small businesses as long as it is eligible.

(f) The authority shall conduct bond eligibility training for businesses qualifying for bond waiver under this subsection to encourage and promote bond eligibility for such businesses.

(g) The authority shall prepare a biennial report on the activities undertaken pursuant to this subsection to be submitted to the Orange County legislative delegation. The initial report shall be due December 31, 2010.

Section 5. Section 348.7543, Florida Statutes, is amended to read:

348.7543 Improvements, bond financing authority for.—Pursuant to s. 11(f), Art. VII of the State Constitution, the Legislature hereby approves for bond financing by the Central Florida Orlando Orange County Expressway Authority improvements to toll collection facilities, interchanges to the legislatively approved expressway system, and any other facility appurtenant, necessary, or incidental to the approved system. Subject to terms and conditions of applicable revenue bond resolutions and covenants, such costs may be financed in whole or in part by revenue bonds issued pursuant to s. 348.755(1)(a) or (b) whether currently issued or issued in the future, or by a combination of such bonds.

Section 6. Section 348.7544, Florida Statutes, is amended to read:

348.7544 Northwest Beltway Part A, construction authorized; financing.—Notwithstanding s. 338.2275, the Central Florida Orlando Orange County Expressway Authority may ~~is hereby authorized to~~ construct, finance, operate, own, and maintain that portion of the Western Beltway known as the Northwest Beltway Part A, extending from Florida's Turnpike near Ocoee north to U.S. 441 near Apopka, as part of the authority's 20-year capital projects plan. This project may be financed with any funds available to the authority for such purpose or revenue bonds issued by the Division of Bond Finance of the State Board of Administration on behalf of the authority pursuant to s. 11, Art. VII of the State Constitution and the State Bond Act, ss. 215.57-215.83.

Section 7. Section 348.7545, Florida Statutes, is amended to read:

348.7545 Western Beltway Part C, construction authorized; financing.—Notwithstanding s. 338.2275, the Central Florida Orlando Orange County Expressway Authority ~~may is hereby authorized to~~ exercise its condemnation powers, construct, finance, operate, own, and maintain that portion of the Western Beltway known as the Western Beltway Part C, extending from Florida's Turnpike near Ocoee in Orange County southerly through Orange and Osceola Counties to an interchange with I-4 near the Osceola-Polk County line, as part of the authority's 20-year capital projects plan. This project may be financed with any funds available to the authority for such purpose or revenue bonds issued by the Division of Bond Finance of the State Board of Administration on behalf of the authority pursuant to s. 11,

Art. VII of the State Constitution and the State Bond Act, ss. 215.57-215.83. This project may be refinanced with bonds issued by the authority pursuant to s. 348.755(1)(d).

Section 8. Section 348.7546, Florida Statutes, is amended to read: 348.7546 Wekiva Parkway, construction authorized; financing.—

(1) The Central Florida ~~Orlando Orange County~~ Expressway Authority ~~may is authorized to~~ exercise its condemnation powers and to construct, finance, operate, own, and maintain those portions of the Wekiva Parkway which are identified by agreement between the authority and the department and which are included as part of the authority's long-range capital improvement plan. The "Wekiva Parkway" means any limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiva River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group which were adopted January 16, 2004. This project may be financed with any funds available to the authority for such purpose or revenue bonds issued by the authority under s. 11, Art. VII of the State Constitution and s. 348.755(1)(b). This section does not invalidate the exercise by the authority of its condemnation powers or the acquisition of any property for the Wekiva Parkway before July 1, 2012.

(2) Notwithstanding any other provision of law ~~to the contrary~~, in order to ensure that funds are available to the department for its portion of the Wekiva Parkway, beginning July 1, 2012, the authority shall repay the expenditures by the department for costs of operation and maintenance of the ~~Central Florida Orlando Orange County~~ Expressway System in accordance with the terms of the memorandum of understanding between the authority and the department as ratified by the authority board on February 22, 2012, which requires the authority to pay the department \$10 million on July 1, 2012, and \$20 million on each successive July 1 until the department has been fully reimbursed for all costs of the ~~Central Florida Orlando Orange County~~ Expressway System which were paid, advanced, or reimbursed to the authority by the department, with a final payment in the amount of the balance remaining. Notwithstanding any other law ~~to the contrary~~, the funds paid to the department pursuant to this subsection ~~must shall~~ be allocated by the department for construction of the Wekiva Parkway.

(3) The department's obligation to construct its portions of the Wekiva Parkway is contingent upon the timely payment by the authority of the annual payments required of the authority and receipt of all required environmental permits and approvals by the Federal Government.

Section 9. Section 348.7547, Florida Statutes, is amended to read:

348.7547 Maitland Boulevard Extension and Northwest Beltway Part A Realignment construction authorized; financing.—Notwithstanding s. 338.2275, the Central Florida ~~Orlando Orange County~~ Expressway Authority ~~may is hereby authorized to~~ exercise its condemnation powers, construct, finance, operate, own, and maintain the portion of State Road 414 known as the Maitland Boulevard Extension and the realigned portion of the Northwest Beltway Part A as part of the authority's long-range capital improvement plan. The Maitland Boulevard Extension ~~extends will extend~~ from the current terminus of State Road 414 at U.S. 441 west to State Road 429 in west Orange County. The realigned portion of the Northwest Beltway Part A ~~runs will run~~ from the point at or near where the Maitland Boulevard Extension ~~connects will connect~~ with State Road 429 and ~~proceeds will proceed~~ to the west and then north resulting in the northern terminus of State Road 429 moving farther west before reconnecting with U.S. 441. However, under no circumstances ~~may shall~~ the realignment of the Northwest Beltway Part A conflict with or contradict with the alignment of the Wekiva Parkway as defined in s. 348.7546. This project may be financed with any funds available to the authority for such purpose or revenue bonds issued by the authority under s. 11, Art. VII of the State Constitution and s. 348.755(1)(b).

Section 10. Subsections (2) and (3) of section 348.755, Florida Statutes, are amended to read:

348.755 Bonds of the authority.—

(2) Any ~~such resolution that authorizes or resolutions authorizing~~ bonds ~~issued under this section hereunder~~ may contain provisions that ~~must which shall~~ be part of the contract with the holders of such bonds, ~~relating as~~ to:

(a) The pledging of ~~all or~~ any part of the revenues, rates, fees, rentals, (including ~~all or~~ any portion of the Orange County gasoline tax funds received by the authority pursuant to the terms of any lease-purchase agreement between the authority and the department, or any part thereof), or other charges or receipts of the authority, derived by the authority, from the Central Florida ~~Orlando-Orange County~~ Expressway System.

(b) The completion, improvement, operation, extension, maintenance, repair, lease or lease-purchase agreement of the said system, and the duties of the authority and others, including the department, ~~with reference thereto~~.

(c) Limitations on the purposes to which the proceeds of the bonds, then or thereafter to be issued, or of any loan or grant by the United States or the state may be applied.

(d) The fixing, charging, establishing, and collecting of rates, fees, rentals, or other charges for use of the services and facilities of the Central Florida ~~Orlando-Orange County~~ Expressway System or any part thereof.

(e) The setting aside of reserves or sinking funds or repair and replacement funds and the regulation and disposition thereof.

(f) Limitations on the issuance of additional bonds.

(g) The terms and provisions of any lease-purchase agreement, deed of trust or indenture securing the bonds, or under which the same may be issued.

(h) Any other or additional agreements with the holders of the bonds which the authority may deem desirable and proper.

(3) The authority may employ fiscal agents as provided by this part or the State Board of Administration of Florida may upon request of the authority act as fiscal agent for the authority in the issuance of any bonds ~~that which~~ may be issued pursuant to this part, and the State Board of Administration may upon request of the authority take over the management, control, administration, custody, and payment of any ~~or all~~ debt services or funds or assets now or hereafter available for any bonds issued pursuant to this part. The authority may enter into any deeds of trust, indentures or other agreements with its fiscal agent, or with any bank or trust company within or without the state, as security for such bonds, and may, under such agreements, sign and pledge ~~all or~~ any of the revenues, rates, fees, rentals or other charges or receipts of the authority, including ~~all or~~ any portion of the Orange County gasoline tax funds received by the authority pursuant to the terms of any lease-purchase agreement between the authority and the department, ~~thereunder~~. Such deed of trust, indenture, or other agreement may contain such provisions as are customary in such instruments, or, as the authority may authorize, including but without limitation, provisions as to:

(a) The completion, improvement, operation, extension, maintenance, repair, and lease of, or lease-purchase agreement relating to the Central Florida ~~Orlando-Orange County~~ Expressway System, and the duties of the authority and others including the department, with reference thereto.

(b) The application of funds and the safeguarding of funds on hand or on deposit.

(c) The rights and remedies of the trustee and the holders of the bonds.

(d) The terms and provisions of the bonds or the resolutions authorizing the issuance of same.

Section 11. Subsections (3) and (4) of section 348.756, Florida Statutes, are amended to read:

348.756 Remedies of the bondholders.—

(3) ~~When a~~ Any trustee ~~is when~~ appointed pursuant to subsection (1) ~~as aforesaid~~, or ~~is~~ acting under a deed of trust, indenture, or other agreement, and whether or not all bonds have been declared due and payable, the trustee ~~is shall be~~ entitled ~~as of right~~ to the appointment of a receiver, who may enter upon and take possession of the Central Florida ~~Orlando-Orange County~~ Expressway System or the facilities or any part of the system or facilities ~~or parts thereof~~, the rates, fees, rentals, or other revenues, charges, or receipts ~~that from which~~ are, or may be, applicable to the payment of the bonds so in default, and subject to and in compliance with the provisions of any lease-purchase agreement between the authority and the department operate and maintain the same, for and on behalf of and in the name of, the authority, the department, and the bondholders, and collect and receive all rates, fees, rentals, and other charges or receipts or revenues arising therefrom in the same manner as the authority or the department might do, and shall deposit all such moneys in a separate account and apply the same in such manner as the court ~~directs shall direct~~. In any suit, action, or proceeding by the trustee,

the fees, counsel fees, and expenses of the trustee, and ~~the said~~ receiver, if any, and all costs and disbursements allowed by the court ~~must shall~~ be a first charge on any rates, fees, rentals, or other charges, revenues, or receipts, derived from the Central Florida ~~Orlando-Orange County~~ Expressway System, or the facilities or services or any part of the system or facilities ~~or parts thereof~~, including payments under any such lease-purchase agreement ~~as aforesaid~~ which ~~said~~ rates, fees, rentals, or other charges, revenues, or receipts ~~shall or~~ may be applicable to the payment of the bonds ~~that are~~ so in default. ~~The~~ Such trustee ~~has shall~~, in addition to the foregoing, ~~have and possess~~ all of the powers necessary or appropriate for the exercise of any functions specifically set forth in this section herein or incident to the representation of the bondholders in the enforcement and protection of their rights.

(4) ~~Nothing in~~ This section or any other section of this part ~~does not shall~~ authorize any receiver appointed ~~pursuant hereto~~ for the purpose, subject to and in compliance with the provisions of any lease-purchase agreement between the authority and the department, of operating and maintaining the Central Florida ~~Orlando-Orange County~~ Expressway System or any facilities or part of the system or facilities ~~or parts thereof~~, to sell, assign, mortgage, or otherwise dispose of any of the assets of whatever kind and character belonging to the authority. ~~It is the intention of this part to limit~~ The powers of ~~the such~~ receiver, subject to and in compliance with the provisions of any lease-purchase agreement between the authority and the department, are limited to the operation and maintenance of the Central Florida ~~Orlando-Orange County~~ Expressway System, or any facility, or part ~~or parts~~ thereof, as the court may direct, in the name and for and on behalf of the authority, the department, and the bondholders, and no holder of bonds on the authority nor any trustee, ~~has shall ever have~~ the right in any suit, action, or proceeding at law or in equity, to compel a receiver, nor may shall any receiver be authorized or any court be empowered to direct the receiver to sell, assign, mortgage, or otherwise dispose of any assets ~~of whatever kind or character~~ belonging to the authority.

Section 12. Subsections (1) through (7) of section 348.757, Florida Statutes, are amended to read:

348.757 Lease-purchase agreement.—

(1) ~~In order to effectuate the purposes of this part and as authorized by this part~~, The authority may enter into a lease-purchase agreement with the department relating to and covering the former Orlando-Orange County Expressway System.

(2) ~~The Such~~ lease-purchase agreement ~~must shall~~ provide for the leasing of the former Orlando-Orange County Expressway System, by the authority, as lessor, to the department, as lessee, ~~must shall~~ prescribe the term of such lease and the rentals to be paid ~~thereunder~~, and ~~must shall~~ provide that upon the completion of the faithful performance ~~thereunder~~ and the termination of ~~the such~~ lease-purchase agreement, title in fee simple absolute to the former Orlando-Orange County Expressway System as then constituted shall be transferred in accordance with law by the authority, to the state and the authority shall deliver to the department such deeds and conveyances as shall be necessary or convenient to vest title in fee simple absolute in the state.

(3) ~~The Such~~ lease-purchase agreement may include ~~such~~ other provisions, agreements, and covenants ~~that as~~ the authority and the department deem advisable or required, including, but not limited to, provisions as to the bonds to be issued under, and for the purposes of, this part, the completion, extension, improvement, operation, and maintenance of the former Orlando-Orange County Expressway System and the expenses and the cost of operation of ~~the said~~ authority, the charging and collection of tolls, rates, fees, and other charges for the use of the services and facilities of the system ~~thereof~~, the application of federal or state grants or aid ~~that which~~ may be made or given to assist the authority in the completion, extension, improvement, operation, and maintenance of the former Orlando-Orange County Orlando Expressway System, which the authority is ~~hereby~~ authorized to accept and apply to such purposes, the enforcement of payment and collection of rentals and any other terms, provisions, or covenants necessary, incidental, or appurtenant to the making of and full performance under ~~the such~~ lease-purchase agreement.

(4) The department as lessee under ~~the such~~ lease-purchase agreement, ~~may is hereby authorized to~~ pay as rentals under the agreement ~~thereunder~~ any rates, fees, charges, funds, moneys, receipts, or income accruing to the

department from the operation of the former Orlando-Orange County Expressway System and the Orange County gasoline tax funds and may also pay as rentals any appropriations received by the department pursuant to any act of the Legislature of the state heretofore or hereafter enacted; ~~provided, however, this part or the that nothing herein nor in such~~ lease-purchase agreement is not intended to and does not ~~nor shall this part or such lease-purchase agreement~~ require the making or continuance of such appropriations, and ~~nor shall~~ any holder of bonds issued pursuant to this part does not ~~ever~~ have any right to compel the making or continuance of such appropriations.

(5) A ~~No~~ pledge of the said Orange County gasoline tax funds as rentals under a ~~such~~ lease-purchase agreement may not ~~shall~~ be made without the consent of the County of Orange evidenced by a resolution duly adopted by the board of county commissioners of said county at a public hearing held pursuant to due notice thereof published at least once a week for 3 consecutive weeks before the hearing in a newspaper of general circulation in Orange County. The said resolution, among other things, must ~~shall~~ provide that any excess of the said pledged gasoline tax funds which is not required for debt service or reserves for the such debt service for any bonds issued by the said authority shall be returned annually to the department for distribution to Orange County as provided by law. Before making any application for a ~~such~~ pledge of gasoline tax funds, the authority shall present the plan of its proposed project to the Orange County planning and zoning commission for its comments and recommendations.

(6) The said department may ~~shall have power to~~ covenant in any lease-purchase agreement that it will pay all or any part of the cost of the operation, maintenance, repair, renewal, and replacement of the said system, and any part of the cost of completing the said system to the extent that the proceeds of bonds issued ~~therefor~~ are insufficient, from sources other than the revenues derived from the operation of the said system and the said Orange County gasoline tax funds. The said department may also agree to make such other payments from any moneys available to the said commission, the said county, or the said city in connection with the construction or completion of the said system as shall be deemed by the said department to be fair and proper under any such covenants ~~heretofore or hereafter~~ entered into.

(7) The said system must ~~shall~~ be a part of the state road system and the said department may ~~is hereby authorized~~, upon the request of the authority, ~~to~~ expend out of any funds available for the purpose the such moneys, and ~~to~~ use such of its engineering and other forces, as may be necessary and desirable in the judgment of said department, for the operation of the said authority and for traffic surveys, borings, surveys, preparation of plans and specifications, estimates of cost, and other preliminary engineering and other studies; provided, however, that the aggregate amount of moneys expended for the said purposes by the said department do ~~shall~~ not exceed the sum of \$375,000.

Section 13. Section 348.758, Florida Statutes, is amended to read:

348.758 Appointment of department as ~~may be appointed~~ agent of authority for construction.—The department may be appointed by the said authority as its agent for the purpose of constructing improvements and extensions to the Central Florida Orlando-Orange County Expressway System and for its ~~the~~ completion ~~thereof~~. In such event, the authority shall provide the department with complete copies of all documents, agreements, resolutions, contracts, and instruments relating thereto and shall request the department to do such construction work, including the planning, surveying, and actual construction of the completion, extensions, and improvements to the Central Florida Orlando-Orange County Expressway System and shall transfer to the credit of an account of the department in the State Treasury of the state the necessary funds, ~~therefor~~ and the department may ~~shall thereupon be authorized, empowered and directed to~~ proceed with such construction and ~~to~~ use the said funds for such purpose in the same manner that it is now authorized to use the funds ~~otherwise provided by law for the its use in~~ construction of roads and bridges.

Section 14. Section 348.759, Florida Statutes, is amended to read:

348.759 Acquisition of lands and property.—

(1) For the purposes of this part, the Central Florida Orlando-Orange County Expressway Authority may acquire private or public property and property rights, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation by eminent domain proceedings, as the authority

~~deems may deem~~ necessary for any of the purposes of this part, including, but not limited to, any lands reasonably necessary for securing applicable permits, areas necessary for management of access, borrow pits, drainage ditches, water retention areas, rest areas, replacement access for landowners whose access is impaired due to the construction of a facility, and replacement rights-of-way for relocated rail and utility facilities; for existing, proposed, or anticipated transportation facilities on the Central Florida Orlando-Orange County Expressway System or in a transportation corridor designated by the authority; or for the purposes of screening, relocation, removal, or disposal of junkyards and scrap metal processing facilities. The authority may ~~shall also have the power to~~ condemn any material and property necessary for such purposes.

(2) The right of eminent domain herein conferred shall be exercised by the authority shall exercise the right of eminent domain in the manner provided by law.

(3) When the authority acquires property for a transportation facility or in a transportation corridor, it is not subject to any liability imposed by chapter 376 or chapter 403 for preexisting soil or groundwater contamination due solely to its ownership. This section does not affect the rights or liabilities of any past or future owners of the acquired property and ~~nor~~ does ~~not~~ ~~#~~ affect the liability of any governmental entity for the results of its actions which create or exacerbate a pollution source. The authority and the Department of Environmental Protection may enter into interagency agreements for the performance, funding, and reimbursement of the investigative and remedial acts necessary for property acquired by the authority.

Section 15. Section 348.760, Florida Statutes, is amended to read:

348.760 Cooperation with other units, boards, agencies, and individuals.—A ~~Express authority and power is hereby given and granted~~ any county, municipality, drainage district, road and bridge district, school district or any other political subdivision, board, commission, or individual in, or of, the state may ~~to~~ make and enter into with the authority, contracts, leases, conveyances, partnerships, or other agreements pursuant to within the provisions and purposes of this part. The authority may ~~is hereby expressly authorized to~~ make and enter into contracts, leases, conveyances, partnerships, and other agreements with any political subdivision, agency, or instrumentality of the state and any ~~and all~~ federal agencies, corporations, and individuals, for the purpose of carrying out the provisions of this part or with the consent of the Seminole County Expressway Authority, for the purpose of carrying out and implementing part VIII of this chapter.

Section 16. Section 348.761, Florida Statutes, is amended to read:

348.761 Covenant of the state.—The state pledges ~~does hereby pledge to~~, and agrees, with any person, firm or corporation, or federal or state agency subscribing to, or acquiring the bonds to be issued by the authority for the purposes of this part that the state will not limit or alter the rights that are hereby vested in the authority and the department until all issued bonds and interest at any time issued, together with the interest thereon, are fully paid and discharged insofar as the pledge same affects the rights of the holders of bonds issued pursuant to this part hereunder. The state does further pledge to, and agree, with the United States that in the event any federal agency constructs or contributes ~~shall construct or contribute~~ any funds for the completion, extension, or improvement of the Central Florida Orlando-Orange County Expressway System, or any part or portion of the system thereof, the state will not alter or limit the rights and powers of the authority and the department in any manner that which would be inconsistent with the continued maintenance and operation of the Central Florida Orlando-Orange County Expressway System or the completion, extension, or improvement of the system thereof, or that which would be inconsistent with the due performance of any agreements between the authority and any such federal agency, and the authority and the department shall continue to have and may exercise all powers herein granted in this part, so long as the powers are same ~~shall be~~ necessary or desirable for the carrying out of the purposes of this part and the purposes of the United States in the completion, extension, or improvement of the Central Florida Orlando-Orange County Expressway System, or any part of the system or portion thereof.

Section 17. Section 348.765, Florida Statutes, is amended to read:

348.765 This part complete and additional authority.—

(1) The powers conferred by this part ~~are shall be~~ in addition and supplemental to the existing powers of ~~the said~~ board and the department, and this part ~~may shall~~ not be construed as repealing any of the provisions, of any other law, general, special, or local, but to supersede such other laws in the exercise of the powers provided in this part, and to provide a complete method for the exercise of the powers granted in this part. The extension and improvement of ~~the Central Florida said Orlando-Orange County~~ Expressway System, and the issuance of bonds pursuant to this part ~~hereunder~~ to finance all or part of the cost of ~~the system thereof~~, may be accomplished upon compliance with the provisions of this part without regard to or necessity for compliance with the provisions, limitations, or restrictions contained in any other general, special, or local law, including, but not limited to, s. 215.821, and no approval of any bonds issued under this part by the qualified electors or qualified electors who are freeholders in the state or in ~~the said~~ County of Orange, or in ~~the said~~ City of Orlando, or in any other political subdivision of the state, ~~is shall be~~ required for the issuance of such bonds pursuant to this part.

(2) This part ~~does shall not be deemed to~~ repeal, rescind, or modify any other law ~~or laws~~ relating to ~~the said~~ State Board of Administration, ~~the said~~ Department of Transportation, or the Division of Bond Finance of the State Board of Administration, but ~~supersedes any shall be deemed to and shall supersede such other law that is or laws as are~~ inconsistent with the provisions of this part, including, but not limited to, s. 215.821.

Section 18. Subsections (6) and (7) of section 369.317, Florida Statutes, are amended to read:

369.317 Wekiva Parkway.—

(6) The ~~Central Florida Orlando-Orange County~~ Expressway Authority is hereby granted the authority to act as a third-party acquisition agent, pursuant to s. 259.041 on behalf of the Board of Trustees or chapter 373 on behalf of the governing board of the St. Johns River Water Management District, for the acquisition of all necessary lands, property and all interests in property identified herein, including fee simple or less-than-fee simple interests. The lands subject to this authority are identified in paragraph 10.a., State of Florida, Office of the Governor, Executive Order 03-112 of July 1, 2003, and in Recommendation 16 of the Wekiva Basin Area Task Force created by Executive Order 2002-259, such lands otherwise known as Neighborhood Lakes, a 1,587+/-acre parcel located in Orange and Lake Counties within Sections 27, 28, 33, and 34 of Township 19 South, Range 28 East, and Sections 3, 4, 5, and 9 of Township 20 South, Range 28 East; Seminole Woods/Swamp, a 5,353+/-acre parcel located in Lake County within Section 37, Township 19 South, Range 28 East; New Garden Coal; a 1,605+/-acre parcel in Lake County within Sections 23, 25, 26, 35, and 36, Township 19 South, Range 28 East; Pine Plantation, a 617+/-acre tract consisting of eight individual parcels within the Apopka City limits. The Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, and other land acquisition entities shall participate and cooperate in providing information and support to the third-party acquisition agent. The land acquisition process authorized by this paragraph shall begin no later than December 31, 2004. Acquisition of the properties identified as Neighborhood Lakes, Pine Plantation, and New Garden Coal, or approval as a mitigation bank shall be concluded no later than December 31, 2010. Department of Transportation and ~~Central Florida Orlando-Orange County~~ Expressway Authority funds expended to purchase an interest in those lands identified in this subsection shall be eligible as environmental mitigation for road construction related impacts in the Wekiva Study Area. If any of the lands identified in this subsection are used as environmental mitigation for road-construction-related impacts incurred by the Department of Transportation or ~~Central Florida Orlando-Orange County~~ Expressway Authority, or for other impacts incurred by other entities, within the Wekiva Study Area or within the Wekiva parkway alignment corridor, and if the mitigation offsets these impacts, the St. Johns River Water Management District and the Department of Environmental Protection shall consider the activity regulated under part IV of chapter 373 to meet the cumulative impact requirements of s. 373.414(8)(a).

(a) Acquisition of the land described in this section is required to provide right-of-way for the Wekiva Parkway, a limited access roadway linking State Road 429 to Interstate 4, an essential component in meeting regional

transportation needs to provide regional connectivity, improve safety, accommodate projected population and economic growth, and satisfy critical transportation requirements caused by increased traffic volume growth and travel demands.

(b) Acquisition of the lands described in this section is also required to protect the surface water and groundwater resources of Lake, Orange, and Seminole counties, otherwise known as the Wekiva Study Area, including recharge within the springshed that provides for the Wekiva River system. Protection of this area is crucial to the long term viability of the Wekiva River and springs and the central Florida region's water supply. Acquisition of the lands described in this section is also necessary to alleviate pressure from growth and development affecting the surface and groundwater resources within the recharge area.

(c) Lands acquired pursuant to this section that are needed for transportation facilities for the Wekiva Parkway shall be determined not necessary for conservation purposes pursuant to ss. 253.034(6) and 373.089(5) and shall be transferred to or retained by the ~~Central Florida Orlando-Orange County~~ Expressway Authority or the Department of Transportation upon reimbursement of the full purchase price and acquisition costs.

(7) The Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, ~~Central Florida Orlando-Orange County~~ Expressway Authority, and other land acquisition entities shall cooperate and establish funding responsibilities and partnerships by agreement to the extent funds are available to the various entities. Properties acquired with Florida Forever funds shall be in accordance with s. 259.041 or chapter 373. The ~~Central Florida Orlando-Orange County~~ Expressway Authority shall acquire land in accordance with this section of law to the extent funds are available from the various funding partners, but shall not be required nor assumed to fund the land acquisition beyond the agreement and funding provided by the various land acquisition entities.

Section 19. Subsection (1) of section 369.324, Florida Statutes, is amended to read:

369.324 Wekiva River Basin Commission.—

(1) The Wekiva River Basin Commission is created to monitor and ensure the implementation of the recommendations of the Wekiva River Basin Coordinating Committee for the Wekiva Study Area. The East Central Florida Regional Planning Council shall provide staff support to the commission with funding assistance from the Department of Economic Opportunity. The commission shall be comprised of a total of ~~18~~ 19 members appointed by the Governor, 9 of whom shall be voting members and ~~9~~ 10 shall be ad hoc nonvoting members. The voting members shall include:

(a) One member of each of the Boards of County Commissioners for Lake, Orange, and Seminole Counties.

(b) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Lake County.

(c) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Orange County.

(d) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Seminole County.

(e) One citizen representing an environmental or conservation organization, one citizen representing a local property owner, a land developer, or an agricultural entity, and one at-large citizen who shall serve as chair of the council.

(f) The ad hoc nonvoting members shall include one representative from each of the following entities:

1. St. Johns River Management District.
2. Department of Economic Opportunity.
3. Department of Environmental Protection.
4. Department of Health.
5. Department of Agriculture and Consumer Services.
6. Fish and Wildlife Conservation Commission.
7. Department of Transportation.
8. MetroPlan Orlando.
9. ~~Central Florida Orlando-Orange County~~ Expressway Authority.
10. ~~Seminole County Expressway Authority.~~

Section 20. (1) Effective upon this act becoming a law, the Osceola County Expressway Authority may only exercise its powers for the purpose of studying, planning, designing, financing, constructing, operating, and maintaining those projects identified in the Osceola County Expressway Authority May 8, 2012, Master Plan, as adopted on such date, and an additional extension of the Osceola Parkway Extension 2 miles to the east of its intersection with the Northeast Connector Expressway. Effective December 31, 2018, all powers, governance, and control of the Osceola County Expressway System, created pursuant to part V of chapter 348, Florida Statutes, are transferred to the Central Florida Expressway Authority, and the assets, liabilities, facilities, tangible and intangible property and any rights in the property, and any other legal rights of the Osceola County Expressway Authority are transferred to the Central Florida Expressway Authority. Upon transfer, the Osceola County Expressway System facilities shall each be a "non-system project" of the Central Florida Expressway Authority, as that term is defined in the then-current master senior lien bond resolution of the Central Florida Expressway Authority. The effective date of such transfer shall be extended until the date on which the current and forecasted total debt service coverage ratio with respect to all bonds, notes, loans, and other debt obligations issued to finance such projects to be transferred can be and is calculated and certified by the financial advisor for the Central Florida Expressway Authority to be equal to or greater than 1.5 for each and every year during which such obligations are then scheduled to be outstanding, including scheduled reimbursement obligations to other governmental entities. The debt service coverage ratio shall be calculated in a manner consistent with the then-current master senior lien bond resolution of the Central Florida Expressway Authority. If the effective date of the transfer is extended, after December 31, 2018, the Osceola County Expressway Authority may only exercise its powers through a contract or contracts with another governmental entity and only for the purpose of operating and maintaining those projects which were completed before such date, in accordance with the requirements of any agreement, resolution, or indenture under which bonds or other debt obligations were issued to finance such projects, and completing construction of those projects for which financing of the full estimated costs of acquisition, design, and construction was obtained and construction began before December 31, 2018.

(2) Part V of chapter 348, Florida Statutes, consisting of ss. 348.9950, 348.9951, 348.9952, 348.9953, 348.9954, 348.9956, 348.9957, 348.9958, 348.9959, 348.9960, and 348.9961, is repealed on the same date that the Osceola County Expressway System is transferred to the Central Florida Expressway Authority.

(3)(a) Following the repeal of part V of chapter 348, Florida Statutes, consisting of sections 348.9950–348.9961, and the transfer of the Osceola County Expressway System to the Central Florida Expressway Authority, the Central Florida Expressway Authority shall include the uncompleted elements of the Osceola County Expressway Authority May 8, 2012, Master Plan, as adopted on such date, and an additional extension of the Osceola Parkway Extension 2 miles to the east of its intersection with the Northeast Connector Expressway, in the equivalent Central Florida Expressway Authority master plan or long-range plan, each as a "non-system project" of the Central Florida Expressway Authority, as that term is defined in the then-current master senior lien bond resolution of the Central Florida Expressway Authority.

(b) The Department of Transportation shall also include elements of the Osceola County Expressway Authority May 8, 2012, Master Plan, as adopted on such date, and an additional extension of the Osceola Parkway Extension 2 miles to the east of its intersection with the Northeast Connector Expressway, in its work program in accordance with s. 339.135, Florida Statutes, as tolled facilities.

(4) The Central Florida Expressway Authority shall comply with any and all obligations of the Osceola County Expressway Authority to reimburse other governmental entities for costs incurred on behalf of the Osceola County Expressway System from revenues of the Osceola County Expressway System available after payment of all amounts required for operation and maintenance of the Osceola County Expressway System and all amounts required to be paid under the terms of any resolution authorizing the issuance of bonds to fund the acquisition, design, or construction of any portion of the Osceola County Expressway System. This reimbursement

obligation specifically includes, but is not limited to, any obligation of the Osceola County Expressway Authority to reimburse Osceola County and Polk County for costs incurred, or debt issued, to fund the acquisition, development, construction, operation, and maintenance of the Osceola County Expressway System. The transfer of any reimbursement obligation of the Osceola County Expressway Authority pursuant to this section does not alter the terms of any agreement between the Osceola County Expressway Authority and any other governmental entity, does not relieve any other governmental entity of its contractual obligations incurred on behalf of the Osceola County Expressway System, does not make any reimbursement obligation a general obligation of the Central Florida Expressway Authority, and does not constitute an independent pledge or lien on revenues of the Central Florida Expressway Authority for the benefit of any person or entity. To the extent that revenues generated by the Osceola County Expressway System are insufficient to pay a reimbursement obligation, the Central Florida Expressway Authority may, but is not required to, make any payment from other revenues of the Central Florida Expressway System available for such purpose after payment of all amounts required:

(a) Otherwise by law or contract;

(b) By the terms of any resolution authorizing the issuance of bonds by the Central Florida Expressway Authority or the Orlando-Orange County Expressway Authority; and

(c) By the terms of the memorandum of understanding between the Orlando-Orange County Expressway Authority and the department as ratified by the board of the Orlando-Orange County Expressway Authority on February 22, 2012.

(5) Revenues generated by the Osceola County Expressway System May 8, 2012, Master Plan facilities available after payment of all current operation, maintenance, and administrative expenses of the Osceola County Expressway System; payment of debt service on any bonds, notes, loans, or other obligations issued and used to finance the costs of design, acquisition, and construction of such facilities; and payment of all other amounts required by the terms of any trust agreement or indenture established with respect thereto shall be used:

(a) On a pro rata basis to repay or reimburse in full Osceola County or any other local agency any funds or amounts loaned to the Osceola County Expressway Authority to complete any such projects and to repay or reimburse in full the Central Florida Expressway Authority for any funds or amounts contributed to such projects; and

(b) Thereafter, to advance any other uncompleted elements of the Osceola County Expressway Authority May 8, 2012, Master Plan, and an additional extension of the Osceola Parkway Extension 2 miles to the east of its intersection with the Northeast Connector Expressway.

(6) The Central Florida Expressway Authority shall have no obligation to financially support any elements of the Osceola County Expressway Authority May 8, 2012, Master Plan, or the additional extension of the Osceola Parkway Extension 2 miles to the east of its intersection with the Northeast Connector Expressway, from revenues of the Central Florida Expressway Authority's Expressway System. To the extent the governing board of the Central Florida Expressway Authority, in its sole discretion, votes to financially support any elements of the Osceola County Expressway Authority May 8, 2012, Master Plan, or the additional extension of the Osceola Parkway Extension 2 miles to the east of its intersection with the Northeast Connector Expressway, it must treat any such element as a "non-system project" and shall only finance such element from revenues of the Central Florida Expressway Authority's Expressway System to the extent permitted by and in accordance with the terms of any resolution authorizing the issuance of bonds by the Central Florida Expressway Authority. For the purpose of advancing the design, acquisition, and construction of the elements of the Osceola County Expressway Authority May 8, 2012, Master Plan, and an additional extension of the Osceola Parkway Extension 2 miles to the east of its intersection with the Northeast Connector Expressway, the Central Florida Expressway Authority is specifically authorized to enter into new or amended lease-purchase agreements with Osceola County for the leasing, construction, operation, and maintenance of any facility described in the Osceola County Expressway Authority May 8, 2012, Master Plan, and an

additional extension of the Osceola Parkway Extension 2 miles to the east of its intersection with the Northeast Connector Expressway.

(7) In recognition of the strategic economic importance of enhanced mobility in the region served by the Osceola County Expressway Authority, the Department of Transportation shall cooperate with the Osceola County Expressway Authority, the Central Florida Expressway Authority, and Osceola County in working to identify solutions to potential barriers to implementation of the projects included in the Osceola County Expressway Authority May 8, 2012, Master Plan, and an additional extension of the Osceola Parkway Extension 2 miles to the east of its intersection with the Northeast Connector Expressway, including funding sources and revenues that may be available for implementation of those improvements.

TITLE AMENDMENT

Remove lines 65-84 and insert:

technical changes; amending s. 369.317, F.S.; conforming terminology and making technical changes; amending s. 369.324, F.S.; revising the membership of the Wekiva River Basin Commission; conforming terminology; providing criteria for the transfer of the Osceola County Expressway System to the Central Florida Expressway Authority; providing for the repeal of part V of ch. 348, F.S., when the Osceola County Expressway System is transferred to the Central Florida Expressway Authority; requiring the Central Florida Expressway Authority to reimburse other governmental entities for obligations related to the Osceola County Expressway System;

Rep. La Rosa moved the adoption of the amendment.

THE SPEAKER IN THE CHAIR

The question recurred on the adoption of **Amendment 1**, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Remarks

The Speaker recognized Representative Waldman, who gave brief farewell remarks.

CS for CS for CS for SB 218—A bill to be entitled An act relating to transportation; amending s. 125.42, F.S.; requiring utility and television lines to be removed from county roads and highways at no cost to the county if the county finds the lines to be unreasonably interfering with the widening, repair, or reconstruction of any such road; providing certain exceptions; amending s. 316.2397, F.S.; expanding the types of vehicles that may show or display an amber light; amending s. 335.06, F.S.; authorizing the Department of Transportation to improve and maintain roads that provide access to property within the state park system if they are part of a county road system or city street system; requiring that the appropriate county or municipality maintain such a road if the department does not maintain it; amending s. 335.065, F.S.; authorizing the department to use appropriated funds for the establishment of a statewide system of interconnected multiuse trails; prioritizing projects for funding; requiring funded projects to be included in the department's work program; providing that the department is not responsible for or obligated to provide funds for the operation and maintenance of any such project; amending s. 337.403, F.S.; providing an exception for payment of certain utility work necessitated by a project on the State Highway System for municipally owned utilities or county-owned utilities located in rural areas of critical economic concern; authorizing the Department of Transportation to pay for such costs under certain circumstances; revising certain exceptions; providing an exception for certain rail service projects; creating s. 339.041, F.S.; providing legislative intent; describing the types of department property eligible for factoring future revenues received by the department from leases for communication facilities on department property; authorizing the department to enter into agreements with investors to purchase the revenue streams from department leases of wireless communication facilities on such property pursuant to an invitation to negotiate; prohibiting the department from pledging state credit; allowing the department to make certain

covenants; providing for the appropriation and payment of moneys received from such agreements to investors; requiring the proceeds from such leases to be used for capital expenditures; amending s. 339.2818, F.S.; subject to the appropriation of specified additional funding, authorizing a municipality within a rural area of critical economic concern or a rural area of critical economic concern community to compete for certain funding; providing criteria; amending ss. 348.53 and 348.54, F.S.; revising the powers of the Tampa-Hillsborough County Expressway Authority; creating s. 341.103, F.S.; authorizing the director of a transportation system or his or her designee to dispose of personal property found on a public transportation system; providing procedures for disposal; amending s. 479.16, F.S.; exempting certain signs from the provisions of ch. 479, F.S.; exempting from permitting certain signs placed by tourist-oriented businesses, certain farm signs placed during harvest seasons, certain acknowledgment signs on publicly funded school premises, and certain displays on specific sports facilities; providing that certain provisions relating to the regulation of signs may not be implemented or continued if such actions will adversely impact the allocation of federal funds to the Department of Transportation; directing the department to notify a sign owner that the sign must be removed within a certain timeframe if federal funds are adversely impacted; authorizing the department to remove the sign and assess costs against the sign owner under certain circumstances; amending s. 479.262, F.S.; clarifying provisions relating to the tourist-oriented directional sign program; limiting the placement of such signs to intersections on certain rural roads; prohibiting such signs in urban areas or at interchanges on freeways or expressways; providing an effective date.

—was read the second time by title.

On motion by Rep. Beshears, the House agreed to substitute CS for CS for CS for SB 218 for CS/HB 345. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for CS for SB 272—A bill to be entitled An act relating to water utilities; creating s. 367.072, F.S.; providing legislative findings; defining the term "customer"; authorizing the Florida Public Service Commission to revoke a certificate of authorization upon receipt of a petition; providing criteria for such petition; authorizing the commission to adopt rules; creating s. 367.0812, F.S.; requiring the commission to consider the quality of water service when fixing rates; providing criteria that the commission must consider in making its determination; requiring the utility to meet with its customers to discuss the costs and benefits of plausible solutions if the commission finds that the utility has failed to meet certain quality of water standards; prohibiting a customer from petitioning the commission to revoke the certificate of authorization of a utility under certain circumstances; authorizing the commission to prescribe penalties for certain failures of the utility; requiring the commission to adopt rules; providing an appropriation; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 357—A bill to be entitled An act relating to water and wastewater utility systems; creating s. 159.8105, F.S.; requiring the Division of Bond Finance of the State Board of Administration to review the allocation of private activity bonds to determine the availability of additional allocation or reallocation of bonds for water facilities or sewage facilities; amending s. 367.022, F.S.; exempting from regulation by the Florida Public Service Commission a person who resells water service to certain tenants or residents up to a specified cost; amending s. 367.081, F.S.; establishing criteria for determining the quality of water and wastewater services provided by a utility; establishing a procedure for the commission to follow if it determines that a utility has failed to provide water and wastewater services that meet certain standards; authorizing the commission to adopt rules that include fines; providing for recovery of costs prudently incurred by a utility to address certain findings of the commission or the Department of

Environmental Protection; authorizing the commission to create a utility reserve fund to establish rates for a utility; providing for the automatic increase or decrease of approved rates under certain circumstances; establishing criteria for adjusted rates; specifying expense items that permit an automatic increase or decrease in utility rates; providing standards to allow the commission to establish, by rule, additional specified expense items that cause an automatic increase or decrease of utility rates; deleting certain requirements for approved utility rates that are automatically increased or decreased, upon notice to the commission; deleting a prohibition to conform to changes made by the act; authorizing a water utility to establish a surcharge or other mechanism to recover the prudently incurred fixed costs of certain system improvement projects approved by the commission; prohibiting the commission from awarding rate case expense under certain circumstances; amending s. 367.0814, F.S.; conforming a cross-reference to changes made by the act; amending s. 403.8532, F.S.; allowing the Department of Environmental Protection to make, or to request that the Florida Water Pollution Control Financing Corporation make, loans, grants, and deposits to for-profit privately owned or investor-owned systems, and deleting current restrictions on such activity; providing an effective date.

On motion by Rep. Santiago, the bill was laid on the table.

REPRESENTATIVE HOOPER IN THE CHAIR

SB 490—A bill to be entitled An act relating to motor vehicle liability policy requirements; amending s. 627.7275, F.S.; extending the period during which the policy may be cancelled by the insurer; specifying minimum limits for such policy; deleting a provision requiring an insured who obtains additional coverage to obtain a new 6-month noncancelable policy; providing an effective date.

—was read the second time by title.

On motion by Rep. Goodson, the House agreed to substitute SB 490 for CS/CS/HB 401. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Consideration of **CS for SB 762** was temporarily postponed.

CS for CS for SB 708—A bill to be entitled An act relating to insurance claims; amending s. 627.3518, F.S.; conforming a cross-reference; amending s. 627.409, F.S.; providing that a claim for residential property insurance cannot be denied based on certain credit information; amending s. 627.4133, F.S.; providing that a policy or contract may not be cancelled based on certain credit information; amending s. 627.7015, F.S.; revising the rule requirements relating to the property insurance mediation program administered by the department; creating s. 627.70151, F.S.; providing grounds for challenging an umpire's impartiality in estimating the amount of a property loss; amending s. 627.706, F.S.; redefining the terms "neutral evaluator" and "professional engineer"; amending s. 627.7074, F.S.; specifying grounds for denying, suspending, or revoking approval of a neutral evaluator; creating s. 627.7142, F.S.; establishing a Homeowner Claims Bill of Rights for residential property insurance policyholders; providing that such bill of rights does not provide a cause of action; providing effective dates.

—was read the second time by title.

On motion by Rep. Hood, the House agreed to substitute CS for CS for SB 708 for CS/CS/HB 743. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for CS for SB 702—A bill to be entitled An act relating to pharmacy audits; creating s. 465.1885, F.S.; enumerating the rights of pharmacies relating to audits of pharmaceutical services which are conducted by certain entities; providing a list of audits not subject to such rights;

providing an exemption from the right to notice of an on-site audit under certain circumstances; providing an effective date.

—was read the second time by title.

On motion by Rep. Cummings, the House agreed to substitute CS for CS for CS for SB 702 for CS/HB 745. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

SB 392—A bill to be entitled An act relating to state speed zones; amending s. 316.183, F.S.; conforming a provision to changes made by the act; making technical changes; amending s. 316.187, F.S.; raising the maximum allowable speed limit on certain highways; increasing the maximum allowable speed limit on roadways under the jurisdiction of the Department of Transportation; providing an effective date.

—was read the second time by title.

On motion by Rep. Caldwell, the House agreed to substitute SB 392 for HB 761. Under rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for SB 762 was taken up, having been temporarily postponed earlier today.

CS for SB 762—A bill to be entitled An act relating to family care councils; amending s. 393.502, F.S.; revising the membership of the family care council within each service area of the Agency for Persons with Disabilities; requiring consent of a grandchild's parent or legal guardian for appointment of a grandparent to a family care council; requiring the parent or legal guardian to provide notice of consent to the agency; providing an effective date.

—was read the second time by title.

On motion by Rep. J. Diaz, the House agreed to substitute CS for SB 762 for CS/HB 715. Under rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

SB 386—A bill to be entitled An act relating to the application of foreign law in courts; creating s. 61.040, F.S.; defining the term "strong public policy"; prohibiting a court from enforcing certain choice of law or forum selection contractual provisions; requiring a court to review judgments and orders of foreign courts for comity before enforcing such orders or judgments; specifying judgments and orders of foreign courts that are not entitled to comity; providing that the attempt to apply the law of a foreign country is void under certain circumstances; prohibiting a trial court from dismissing an action on the grounds that a satisfactory remedy may be more conveniently sought in a foreign country; providing an exception; providing applicability; providing an effective date.

—was read the second time by title.

THE SPEAKER IN THE CHAIR

Further consideration of **SB 386** was temporarily postponed.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 810].

Remarks

The Speaker recognized Representative Thurston, who gave brief farewell remarks.

SB 386 was taken up, having been read the second time by title and temporarily postponed earlier today.

REPRESENTATIVE HOOPER IN THE CHAIR

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 903—A bill to be entitled An act relating to the application of foreign law in certain cases; creating s. 45.022, F.S.; providing legislative intent; defining the term "foreign law, legal code, or system"; providing for applicability; specifying the public policy of this state on the application of a foreign law, legal code, or system in proceedings brought under or relating to chapter 61 or chapter 88, F.S., which relate to dissolution of marriage, support, time-sharing, the Uniform Child Custody Jurisdiction and Enforcement Act, and the Uniform Interstate Family Support Act; providing that certain decisions rendered under such laws, codes, or systems are void; providing that certain contracts and contract provisions are void; providing for the construction of a waiver by a natural person of the person's fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution; providing that claims of forum non conveniens or related claims must be denied under certain circumstances; providing that the act may not be construed to require or authorize any court to adjudicate, or prohibit any religious organization from adjudicating, ecclesiastical matters in violation of specified constitutional provisions or to conflict with any federal treaty or other international agreement to which the United States is a party to a specified extent; providing for severability; providing a directive to the Division of Law Revision and Information; providing an effective date.

On motion by Rep. Combee, the bill was laid on the table.

CS for CS for SB 1070—A bill to be entitled An act relating to fuel terminals; creating s. 163.3206, F.S.; providing legislative intent; defining terms; prohibiting a local government from amending its local comprehensive plan, land use map, zoning districts, or land development regulations to make a fuel terminal a nonconforming use under the provisions thereof; requiring a local government to allow the repair of a fuel terminal damaged or destroyed by a natural disaster or other catastrophe; providing applicability; providing an effective date.

—was read the second time by title.

On motion by Rep. Ray, the House agreed to substitute CS for CS for SB 1070 for CS/CS/HB 947. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for SB 1142—A bill to be entitled An act relating to ticket sales; amending s. 817.355, F.S.; providing that a person who counterfeits, forges, alters, clones, or possesses a ticket, card, wristband, or other medium that accesses or is associated with a specified ticket, token, or paper with the intent to defraud commits a misdemeanor of the first degree; providing enhanced criminal penalties for second and subsequent violations concerning fraudulent creation or possession of an admission ticket; providing criminal penalties for persons who commit such violations involving more than a specified number of tickets, cards, wristbands, or other media that access or are associated with a specified ticket, token, or paper; amending s. 817.361, F.S.; defining terms; prohibiting the sale, offer for sale, or transfer of certain multiuse tickets or a card, wristband, or other medium that accesses or is associated with such multiuse ticket; providing criminal penalties; providing enhanced criminal penalties for second or subsequent violations of provisions relating to the sale, offer for sale, or transfer of certain multiuse tickets; providing an effective date.

—was read the second time by title.

On motion by Rep. Brodeur, the House agreed to substitute CS for SB 1142 for CS/HB 1057. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for SJR 1188—A joint resolution proposing amendments to Sections 10 and 11 of Article V of the State Constitution to authorize the Governor to prospectively fill vacancies in certain judicial offices.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS for SB 1238—A bill to be entitled An act relating to family trust companies; amending s. 655.005, F.S.; revising the definition of the term "financial institutions codes"; creating chapter 662, F.S.; creating s. 662.10, F.S.; providing a short title; creating s. 662.102, F.S.; providing the purpose of the act; creating s. 662.111, F.S.; defining terms; creating s. 662.112, F.S.; providing for the calculation of kinship; creating s. 662.114, F.S.; exempting a family trust company or foreign licensed family trust company from licensure; creating s. 662.115, F.S.; providing for the applicability of the chapter to a family trust company or foreign licensed family trust company; creating s. 662.120, F.S.; specifying the maximum number of designated relatives allowed for a family trust company and a licensed family trust company; creating s. 662.121, F.S.; providing procedures for applying for a family trust company license; requiring a fee; creating s. 662.1215, F.S.; providing for investigations of applicants by the Office of Financial Regulation; creating s. 662.122, F.S.; providing procedures for the registration of a family trust company or a foreign licensed family trust company; requiring a fee; creating s. 662.1225, F.S.; providing requirements for a family trust company, licensed family trust company, and foreign licensed family trust company; creating s. 662.123, F.S.; requiring organizational documents to include certain provisions; authorizing the use of the term "trust"; creating s. 662.124, F.S.; requiring a minimum capital account; creating s. 662.125, F.S.; vesting exclusive authority to manage a family trust company or licensed family trust company in a board of directors or managers; providing for appointment of directors and managers; requiring certain notice to the office in specified circumstances; requiring the office to issue a notice of disapproval of a proposed appointment in specified circumstances; creating s. 662.126, F.S.; requiring that licensed family trust companies procure and maintain fidelity bonds or specified minimum capital account and errors and omissions insurance; authorizing a family trust company that is not licensed to procure and maintain such coverage; authorizing licensed and unlicensed family trust companies to procure and maintain other insurance policies; creating s. 662.127, F.S.; requiring certain books and records to be segregated; creating s. 662.128, F.S.; requiring annual license and registration renewal; requiring a fee; creating s. 662.129, F.S.; providing for the discontinuance of a licensed family trust company; creating s. 662.130, F.S.; authorizing family trust companies to conduct certain activities; creating s. 662.131, F.S.; prohibiting certain activities on the part of family trust companies; creating s. 662.132, F.S.; imposing certain requirements on the assets that form the minimum capital of licensed family trust companies and family trust companies; authorizing such trust companies to purchase or rent real or personal property, invest funds, and, while acting as a fiduciary, make certain purchases; imposing a restriction on that authorization; clarifying the degree of prudence required of fiduciaries; restricting the authority of a fiduciary to purchase certain bonds or securities; specifying additional authority of fiduciaries; applying the duty of loyalty to family trust companies in certain cases; creating s. 662.133, F.S.; requiring certain officers, directors, or managers of a licensed family trust company or a family trust company to make an oath, affirmation, affidavit, or acknowledgment on behalf of the company in certain circumstances; creating s. 662.134, F.S.; prohibiting a family trust company from advertising to the public; creating s. 662.135, F.S.; providing that a licensed family trust company is not required to post a bond to serve as a court-appointed fiduciary; creating s. 662.140, F.S.; authorizing the commission to adopt rules; creating s. 662.141, F.S.; authorizing the office to conduct examinations and investigations; requiring

that family trust companies be examined at least once every 18 months; authorizing the office to accept an independent audit in lieu of conducting an examination; requiring the office to examine the books and records of a family trust company or licensed family trust company; authorizing the office to rely on a certificate of trust, trust summary, or written statement in certain circumstances; authorizing the commission to adopt rules relating to records and requirements; authorizing the office to examine the books and records of a foreign licensed family trust company; requiring family trust companies to pay examination fees tied to actual costs incurred by the office; providing a penalty for late payment and authorizing an administrative fine if late payment is intentional; creating s. 662.142, F.S.; providing for license revocation; specifying acts and conduct that constitute grounds for revocation; authorizing the office to suspend a license pending revocation; creating s. 662.143, F.S.; authorizing the office to issue a cease and desist order and an emergency cease and desist order; creating s. 662.144, F.S.; authorizing the office to collect fines for the failure to submit required reports; creating s. 662.145, F.S.; providing grounds for the removal of an officer, director, manager, employee, or agent of a licensed family trust company or a family trust company; creating s. 662.146, F.S.; providing for the confidentiality of certain company books and records; creating s. 662.147, F.S.; providing requirements for books and records of family trust companies; requiring the office to retain certain records for a specified time; allowing the introduction of certain copies into evidence; requiring the office to establish a schedule of fees for such copies; providing requirements for orders issued by courts or administrative law judges for the production of confidential records or information; creating s. 662.150, F.S.; providing for the domestication of a foreign family trust company; creating s. 662.151, F.S.; providing for the registration of a foreign licensed family trust company; amending s. 120.80, F.S.; adding licensed family trust companies to the entities regulated by the office that are exempted from licensing timeframes under ch. 120, F.S.; amending s. 736.0802, F.S.; providing circumstances under which certain trust transactions are not voidable by a beneficiary affected by a transaction; providing circumstances under which certain transactions involving the investment or management of trust property are not presumed to be affected by conflicts of interest; providing an exception; amending s. 744.351, F.S.; exempting a family trust company from certain bond requirements and applying those requirements to licensed family trust companies and foreign licensed family trust companies; providing a contingent effective date.

—was read the second time by title.

On motion by Rep. McBurney, the House agreed to substitute CS for SB 1238 for CS/CS/CS/HB 1267. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for SB 1320—A bill to be entitled An act relating to public records; creating s. 662.148, F.S.; providing definitions; providing an exemption from public records requirements for certain information held by the Office of Financial Regulation relating to a family trust company, licensed family trust company, or foreign licensed family trust company; providing for the authorized release of certain information by the office; authorizing the publication of certain information; providing a penalty; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

On motion by Rep. McBurney, the House agreed to substitute CS for CS for SB 1320 for CS/CS/CS/HB 1269. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for SB 1308—A bill to be entitled An act relating to insurer solvency; amending s. 624.10, F.S.; providing additional definitions applicable to the Florida Insurance Code; amending s. 624.319, F.S.;

clarifying that production of documents does not waive the attorney-client or work-product privileges; amending s. 624.402, F.S.; conforming a cross-reference; amending s. 624.4085, F.S.; revising a definition; providing additional calculations for determining whether an insurer has a company action level event; revising provisions relating to mandatory control level events; amending s. 624.424, F.S.; requiring an insurer's annual statement to include an actuarial opinion summary; providing criteria for such summary; providing an exception for life and health insurers; updating provisions; requiring insurers reinsuring through a captive insurance company to file a report containing certain information; amending s. 625.121, F.S.; revising the Standard Valuation Law; distinguishing the provisions from valuations done pursuant to the National Association of Insurance Commissioner's (NAIC) valuation manual and incorporating certain provisions included in the manual; exempting certain documents from civil proceedings; revising the methods for evaluating the valuation of industrial life insurance policies; revising provisions relating to calculating additional premium; updating provisions relating to reserve calculations for indeterminate premium plans; creating s. 625.1212, F.S.; providing for the valuation of policies and contracts after the adoption of the NAIC's valuation manual; providing applicability; defining terms; requiring the office to value insurer reserves; requiring actuarial opinions of the reserves and a supporting memorandum to the opinions; requiring the insurer to apply the standard prescribed in the valuation manual; providing exceptions; providing requirements for a principle-based valuation of reserves; requiring an insurer to submit certain data to the office; directing the Financial Services Commission to adopt rules; creating s. 625.1214, F.S.; providing for the use of confidential information; prohibiting the use of such information in private civil actions; amending s. 627.476, F.S.; revising the Standard Nonforfeiture Law; distinguishing provisions subject to the valuation manual and providing for the application of tables found in the manual; amending s. 628.461, F.S.; revising the amount of outstanding voting securities of a domestic stock insurer or a controlling company which a person is prohibited from acquiring unless certain requirements have been met; deleting a provision authorizing an insurer to file a disclaimer of affiliation and control in lieu of a letter notifying the Office of Insurance Regulation of the Financial Services Commission of the acquisition of the voting securities of a domestic stock company under certain circumstances; requiring the statement notifying the office to include additional information; conforming a provision to changes made by the act; providing that control is presumed to exist under certain conditions; specifying how control may be rebutted and how a controlling interest may be divested; deleting definitions; amending s. 628.801, F.S.; requiring an insurer to annually file a registration statement by a specified date; revising the requirements and standards for the rules establishing the information and statement form for the registration; requiring an insurer to file an annual enterprise risk report; authorizing the office to conduct examinations to determine the financial condition of registrants; providing that failure to file a registration or report is a violation of the section; providing additional grounds, requirements, and conditions with respect to a waiver from the registration requirements; amending s. 628.803, F.S.; providing sanctions for persons who violate certain provisions relating to the acquisition of controlling stock; creating s. 628.804, F.S.; providing for the groupwide supervision of international insurance groups; defining terms; providing for the selection of a groupwide supervisor; authorizing the commission to adopt rules; creating s. 628.805, F.S.; authorizing the office to participate in supervisory colleges; authorizing the office to assess fees on insurers for participation; amending ss. 636.045 and 641.225, F.S.; applying certain statutes related to solvency to prepaid limited health service organizations and health maintenance organizations; amending s. 641.255, F.S.; providing for applicability of specified provisions to a health maintenance organization that is a member of a holding company; providing effective dates and a contingent effective date.

—was read the second time by title.

On motion by Rep. Ingram, the House agreed to substitute CS for CS for SB 1308 for CS/CS/HB 1271. Under rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for SB 1190—A bill to be entitled An act relating to family law; providing legislative findings; creating Part III of ch. 61, F.S., entitled the "Collaborative Law Act"; creating s. 61.55, F.S.; declaring the purpose of the act; creating s. 61.56, F.S.; defining terms; creating s. 61.57, F.S.; declaring that a collaborative law process commences when the parties enter into a collaborative law participation agreement; providing that a tribunal may not order a party to participate in a collaborative law process over the party's objection; providing conditions under which a collaborative law process is concluded; creating s. 61.58, F.S.; providing for confidentiality of communications made during the collaborative law process; providing exceptions; providing that the effective date of specified provisions are contingent upon approval and publication of Florida Supreme Court rules governing specified subjects; providing effective dates.

—was read the second time by title.

On motion by Rep. La Rosa, the House agreed to substitute CS for SB 1190 for CS/HB 1397. Under rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

SB 1010—A bill to be entitled An act relating to cable and video services; repealing s. 610.119, F.S., relating to reports required to be submitted to the Legislature by the Office of Program Policy Analysis and Government Accountability and the Department of Agriculture and Consumer Services on the status of competition in the cable and video service industry and the staffing requirements associated with consumer complaints related to video and cable certificateholders, respectively; providing an effective date.

—was read the second time by title.

On motion by Rep. R. Rodriguez, the House agreed to substitute SB 1010 for CS/HB 4017. Under rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for SB 1140—A bill to be entitled An act relating to public records; creating s. 252.905, F.S.; creating an exemption from public records requirements for information furnished to the Division of Emergency Management by a person or business for the purpose of obtaining assistance with emergency planning; providing for retroactive application of the exemption; providing for future repeal and legislative review of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

On motion by Rep. Eagle, the House agreed to substitute CS for SB 1140 for CS/HB 7011. Under rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for SB 850—A bill to be entitled An act relating to education; amending s. 1001.42, F.S.; requiring a school that includes certain grades to include information, data, and instructional strategies in its school improvement plan; requiring a school that includes certain grades to implement an early warning system based on indicators to identify students in need of additional academic support; amending s. 1002.32, F.S.; revising the kind of lab schools that receive a proportional share of the sparsity supplement; amending s. 1003.42, F.S.; providing State Board of Education duties relating to middle grades courses; amending s. 1003.4203, F.S.; requiring a district school board, in consultation with the district school superintendent, to make CAPE Digital Tool certificates and CAPE industry certifications available to students, including students with disabilities, in prekindergarten through grade 12, to enable students to attain digital skills;

providing eligibility for additional FTE funding; requiring innovative programs and courses that combine academic and career instructional tools and industry certifications into education for both college and career preparedness; providing for additional FTE funding; providing for grade point average calculation; requiring the Department of Education to collaborate with Florida educators and school leaders to provide technical assistance to district school boards regarding implementation; authorizing public schools to provide students with access to third-party assessment centers and career and professional academy curricula; encouraging third-party assessment providers and career and professional academy curricula providers to provide annual training; amending s. 1003.4281, F.S.; deleting calculations for paid and unpaid high school credits; amending s. 1003.4285, F.S.; revising requirements to earn a Scholar designation on a standard high school diploma; revising requirements to earn a Merit designation on a standard high school diploma; creating s. 1003.4298, F.S.; requiring the third-party assessment center providers to report return on investment to students and students' families regarding completing CAPE industry certifications and CAPE Digital Tool certificates; providing criteria for the return on investment report; amending s. 1003.4935, F.S.; authorizing additional FTE funding for certain Digital Tool certificates and industry certifications; amending s. 1003.53, F.S.; authorizing dropout prevention and academic intervention services for a student identified by a school's early warning system; amending s. 1006.135, F.S.; including middle grades schools under provisions prohibiting hazing; revising the definition of the term "hazing"; requiring a school district policy that prohibits hazing and establishes consequences for an act of hazing; revising penalty provisions and providing for applicability; creating s. 1007.273, F.S.; requiring a Florida College System institution to work with each district school board in its designated service area to establish a collegiate high school program; providing options for participation in a collegiate high school program; requiring a Florida College System institution to execute a contract with each district school board in its designated service area to establish the program; authorizing another Florida College System institution to execute a contract with the district school board in certain circumstances; requiring each district school board to execute the contract with the local Florida College System institution; requiring the contract to be executed by a specified date for the purpose of implementation; specifying information that must be included in the contract; specifying requirements for student performance contracts for students participating in the collegiate high school program; providing the calculation for funding the collegiate high school program; prohibiting a Florida College System institution from reporting certain funds for purposes of funding or receiving the standard tuition rate per credit hour for a student enrolled in a dual enrollment course at the institution unless the institution establishes a collegiate high school program; authorizing district school boards to execute a contract with a state university or certain independent colleges and universities to establish the collegiate high school program; amending s. 1008.44, F.S.; requiring the department to annually identify CAPE Digital Tool certificates and CAPE industry certifications; authorizing the Commissioner of Education to recommend adding certain certificates and certifications; providing requirements for inclusion of CAPE Digital Tool certificates and CAPE industry certifications on the funding list; authorizing the commissioner to limit certain Digital Tool certificates and CAPE industry certifications to students in certain grades; providing requirements for the Articulation Coordinating Committee; amending s. 1011.62, F.S.; specifying requirements relating to additional FTE funding based on completion of certain courses or programs and issuance of CAPE industry certification; deleting obsolete provisions; deleting provisions regarding Florida Cyber Security Recognition, Florida Digital Arts Recognition, and Florida Digital Tool Certificates; amending s. 1012.98, F.S.; providing requirements relating to professional development, including inservice plans and instructional strategies, for middle grades educators; requiring the Department of Education to disseminate professional development in the use of integrated digital instruction; renaming the Florida Agricultural and Mechanical University Crestview Education Center as the "Senator Durell Peaden, Jr., FAMU Educational Center"; providing an effective date.

—was read the second time by title.

Representative O'Toole offered the following:

(Amendment Bar Code: 937491)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (18) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(18) **IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.**—Maintain a state system of school improvement and education accountability as provided by statute and State Board of Education rule. This system of school improvement and education accountability shall be consistent with, and implemented through, the district's continuing system of planning and budgeting required by this section and ss. 1008.385, 1010.01, and 1011.01. This system of school improvement and education accountability shall comply with the provisions of ss. 1008.33, 1008.34, 1008.345, and 1008.385 and include the following:

(a) School improvement plans.—

1. The district school board shall annually approve and require implementation of a new, amended, or continuation school improvement plan for each school in the district. If a school has a significant gap in achievement on statewide assessments pursuant to s. 1008.34(3)(b) by one or more student subgroups, as defined in the federal Elementary and Secondary Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II); has not significantly decreased the percentage of students scoring below satisfactory on statewide assessments; or has significantly lower graduation rates for a subgroup when compared to the state's graduation rate, that school's improvement plan shall include strategies for improving these results. The state board shall adopt rules establishing thresholds and for determining compliance with this subparagraph paragraph.

2. A school that includes any of grades 6, 7, or 8 shall include annually in its school improvement plan information and data on the school's early warning system required under paragraph (b), including a list of the early warning indicators used in the system, the number of students identified by the system as exhibiting two or more early warning indicators, the number of students by grade level that exhibit each early warning indicator, and a description of all intervention strategies employed by the school to improve the academic performance of students identified by the early warning system. In addition, a school that includes any of grades 6, 7, or 8 shall describe in its school improvement plan the strategies used by the school to implement the instructional practices for middle grades emphasized by the district's professional development system pursuant to s. 1012.98(4)(b)9.

(b) Early warning system.—

1. A school that includes any of grades 6, 7, or 8 shall implement an early warning system to identify students in grades 6, 7, and 8 who need additional support to improve academic performance and stay engaged in school. The early warning system must include the following early warning indicators:

a. Attendance below 90 percent, regardless of whether absence is excused or a result of out-of-school suspension.

b. One or more suspensions, whether in school or out of school.

c. Course failure in English Language Arts or mathematics.

d. A Level 1 score on the statewide, standardized assessments in English Language Arts or mathematics.

A school district may identify additional early warning indicators for use in a school's early warning system.

2. When a student exhibits two or more early warning indicators, the school's child study team under s. 1003.02 or a school-based team formed for the purpose of implementing the requirements of this paragraph shall convene to determine appropriate intervention strategies for the student. The school shall provide at least 10 days' written notice of the meeting to the student's parent, indicating the meeting's purpose, time, and location, and provide the parent the opportunity to participate.

(c)(b) Public disclosure.—The district school board shall provide information regarding the performance of students and educational programs as required pursuant to ss. 1008.22 and 1008.385 and implement a system of school reports as required by statute and State Board of Education rule which shall include schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, and for those schools, report on the elements specified in s. 1003.52(19). Annual public disclosure reports shall be in an easy-to-read report card format and shall include the school's grade, high school graduation rate calculated without GED tests, disaggregated by student ethnicity, and performance data as specified in state board rule.

(d)(e) School improvement funds.—The district school board shall provide funds to schools for developing and implementing school improvement plans. Such funds shall include those funds appropriated for the purpose of school improvement pursuant to s. 24.121(5)(c).

Section 2. Subsection (1) of section 1003.02, Florida Statutes, is amended to read:

1003.02 District school board operation and control of public K-12 education within the school district.—As provided in part II of chapter 1001, district school boards are constitutionally and statutorily charged with the operation and control of public K-12 education within their school district. The district school boards must establish, organize, and operate their public K-12 schools and educational programs, employees, and facilities. Their responsibilities include staff development, public K-12 school student education including education for exceptional students and students in juvenile justice programs, special programs, adult education programs, and career education programs. Additionally, district school boards must:

(1) Provide for the proper accounting for all students of school age, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students in the following areas fields:

(a) Admission, classification, promotion, and graduation of students.—Adopt rules for admitting, classifying, promoting, and graduating students to or from the various schools of the district.

(b) Enforcement of attendance laws.—Provide for the enforcement of all laws and rules relating to the attendance of students at school. District school boards are authorized to establish policies that allow accumulated unexcused tardies, regardless of when they occur during the school day, and early departures from school to be recorded as unexcused absences. District school boards are also authorized to establish policies that require referral to a school's child study team for students who have fewer absences than the number required by s. 1003.26(1)(b).

(c) Control of students.—

1. Adopt rules for the control, attendance, discipline, in-school suspension, suspension, and expulsion of students and decide all cases recommended for expulsion.

2. Maintain a code of student conduct as provided in chapter 1006.

(d) Courses of study and instructional materials.—

1. Provide adequate instructional materials for all students as follows and in accordance with the requirements of chapter 1006, in the core courses of mathematics, language arts, social studies, science, reading, and literature, except for instruction for which the school advisory council approves the use of a program that does not include a textbook as a major tool of instruction.

2. Adopt courses of study for use in the schools of the district.

3. Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials as may be needed, and ensure that instructional materials used in the district are consistent with the district goals and objectives and the curriculum frameworks approved by the State Board of Education, as well as with the state and school district performance standards required by law and state board rule.

(e) Transportation.—Make provision for the transportation of students to the public schools or school activities they are required or expected to attend, efficiently and economically, in accordance with the requirements of chapter 1006, which function may be accomplished, in whole or part, by means of an interlocal agreement under s. 163.01.

(f) Facilities and school plant.—

1. Approve and adopt a districtwide school facilities program, in accordance with the requirements of chapter 1013.

2. Approve plans for locating, planning, constructing, sanitating, insuring, maintaining, protecting, and condemning school property as prescribed in chapter 1013.

3. Approve and adopt a districtwide school building program.

4. Select and purchase school sites, playgrounds, and recreational areas located at centers at which schools are to be constructed, of adequate size to meet the needs of projected students to be accommodated.

5. Approve the proposed purchase of any site, playground, or recreational area for which school district funds are to be used.

6. Expand existing sites.

7. Rent buildings when necessary, which function may be accomplished, in whole or part, by means of an interlocal agreement under s. 163.01.

8. Enter into leases or lease-purchase arrangements, in accordance with the requirements and conditions provided in s. 1013.15(2).

9. Provide for the proper supervision of construction.

10. Make or contract for additions, alterations, and repairs on buildings and other school properties.

11. Ensure that all plans and specifications for buildings provide adequately for the safety and well-being of students, as well as for economy of construction.

12. Provide adequately for the proper maintenance and upkeep of school plants, which function may be accomplished, in whole or part, by means of an interlocal agreement under s. 163.01.

13. Carry insurance on every school building in all school plants including contents, boilers, and machinery, except buildings of three classrooms or less which are of frame construction and located in a tenth class public protection zone as defined by the Florida Inspection and Rating Bureau, and on all school buses and other property under the control of the district school board or title to which is vested in the district school board, except as exceptions may be authorized under rules of the State Board of Education.

14. Condemn and prohibit the use for public school purposes of any building under the control of the district school board.

(g) School operation.—

1. Provide for the operation of all public schools as free schools for a term of 180 days or the equivalent on an hourly basis as specified by rules of the State Board of Education; determine district school funds necessary in addition to state funds to operate all schools for the minimum term; and arrange for the levying of district school taxes necessary to provide the amount needed from district sources.

2. Prepare, adopt, and timely submit to the Department of Education, as required by law and by rules of the State Board of Education, the annual school budget, so as to promote the improvement of the district school system.

(h) Records and reports.—

1. Keep all necessary records and make all needed and required reports, as required by law or by rules of the State Board of Education.

2. At regular intervals require reports to be made by principals or teachers in all public schools to the parents of the students enrolled and in attendance at their schools, apprising them of the academic and other progress being made by the student and giving other useful information.

(i) Parental notification of acceleration options.—At the beginning of each school year, notify parents of students in or entering high school of the opportunity and benefits of advanced placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, and Florida Virtual School courses and options for early graduation under s. 1003.4281.

(j) Return on investment.—Notify the parent of a student who earns an industry certification that articulates for postsecondary credit of the estimated cost savings to the parent before the student's high school graduation versus the cost of acquiring such certification after high school graduation, which would include the tuition and fees associated with available postsecondary credits. Also, the student and the parent must be informed of any additional industry certifications available to the student.

Section 3. Subsection (1) of section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction.—

(1) Each district school board shall provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet State Board of Education adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts. The state board must remove a middle grades course in the Course Code Directory that does not fully integrate all appropriate curricular content required by s. 1003.41 and may approve a new course only if it meets the required curricular content.

Section 4. Section 1003.4203, Florida Statutes, is amended to read:

1003.4203 Digital materials, digital tool recognitions, certificates, career innovation courses, academic acceleration industry certifications, and technical assistance.—

(1) CAREER AND PROFESSIONAL EDUCATION (CAPE) DIGITAL MATERIALS.—

(a) Each district school board, ~~in consultation with the district school superintendent,~~ shall make available career and professional education (CAPE) digital materials that enable for students in kindergarten prekindergarten through grade 12 in order to enable students to access certificates, career innovation courses, or academic acceleration industry certifications attain digital skills. The CAPE digital materials may be integrated into subject area curricula, offered as a separate courses course, made available through open-access options, or deployed through online or digital computer applications, ~~subject to available funding.~~

(b)(2) ~~Beginning with the 2013-2014 school year,~~ Each district school board, ~~in consultation with the district school superintendent,~~ shall make available CAPE digital and instructional materials, including software applications, to students with disabilities who are in kindergarten prekindergarten through grade 12. The availability of CAPE digital materials must be communicated to a student's parent during the development of the student's individual educational plan. CAPE digital materials must thereafter be offered to a student in accordance with the student's individual educational plan, as applicable.

(2)(3) DIGITAL TOOL CERTIFICATES.—Digital tool certificates are identified on the Industry Certification Funding List, pursuant to s. 1008.44, and recognize the digital competencies necessary for a student's academic success and future employment. Targeted skills to be mastered by a student to earn the certificates include, but are not limited to, word processing; spreadsheets; digital arts; cyber security; coding; and development of sound, motion, and color presentations. ~~Subject to available funding, by December 1, 2013, the department shall contract with one or more technology companies, or affiliated nonprofit organizations, that have approved industry certifications identified on the Industry Certification Funding List or the Postsecondary Industry Certification Funding List, pursuant to s. 1003.492 or s. 1008.44, to develop a Florida Cyber Security Recognition and a Florida Digital Arts Recognition.~~ The department shall notify each school district when the certificates recognitions are developed and available. The certificates recognitions shall be made available to all public elementary and middle school students ~~at no cost to the districts or charter schools.~~

(a) ~~Targeted knowledge and skills to be mastered for each recognition shall be identified by the department. Knowledge and skills may be demonstrated through student attainment of the below recognitions in particular content areas:~~

1. ~~The Florida Cyber Security Recognition must be based upon an understanding of computer processing operations and, in most part, on cyber security skills that increase a student's cyber-safe practices.~~

2. ~~The Florida Digital Arts Recognition must reflect a balance of skills in technology and the arts.~~

(b) ~~The technology companies or affiliated nonprofit organizations that provide the recognition must provide open access to materials for teaching and assessing the skills a student must acquire in order to earn a Florida Cyber Security Recognition or a Florida Digital Arts Recognition.~~ The school district shall notify each elementary and middle school advisory council of the methods of delivery of the open-access content and assessments for the certificates. If there is no elementary or middle school advisory council, notification must be provided to the district advisory council.

(4) ~~Subject to available funding, by December 1, 2013, the department shall contract with one or more technology companies that have approved industry certifications identified on the Industry Certification Funding List or the Postsecondary Industry Certification Funding List, pursuant to s. 1003.492 or s. 1008.44, to develop a Florida Digital Tools Certificate to indicate a student's digital skills. The department shall notify each school district when the certificate is developed and available. The certificate shall be made available to all public middle grades students at no cost to the districts or charter schools.~~

(a) ~~Targeted skills to be mastered for the certificate include digital skills that are necessary to the student's academic work and skills the student may need in future employment. The skills must include, but are not limited to, word processing, spreadsheet display, and creation of presentations, including sound, text, and graphic presentations, consistent with industry certifications that are listed on the Industry Certification Funding List, pursuant to s. 1003.492.~~

(b) ~~A technology company that provides the certificate must provide open access to materials for teaching and assessing the skills necessary to earn the certificate. The school district shall notify each middle school advisory council of the methods of delivery of the open access content and assessments for the certificate. If there is no middle school advisory council, notification must be provided to the district advisory council.~~

(e) ~~The Legislature intends that by July 1, 2018, on an annual basis, at least 75 percent of public elementary and middle grades students earn a digital tool Florida Digital Tools certificate.~~

(3) CAREER INNOVATION COURSES.—A career innovation course is a course that combines academic content with embedded career content to provide students with an opportunity to concurrently earn postsecondary credit and an industry certification. An approved career innovation course must incorporate at least two third-party assessments, one of which articulates to postsecondary credit and one of which results in the attainment of an industry certification identified on the Industry Certification Funding List.

(4) ACADEMIC ACCELERATION INDUSTRY CERTIFICATIONS.—An academic acceleration industry certification is an industry certification identified on the Industry Certification Funding List that articulates for 15 or more postsecondary credit hours.

(5) TECHNICAL ASSISTANCE.—~~The Department of Education or a company contracted with under subsection (4) shall collaborate with Florida educators and school leaders to provide technical assistance to district school boards in the implementation of this section and s. 1006.281. Technical assistance to districts shall include, but is not limited to, identification of digital resources, primarily open-access resources, including digital curriculum, CAPE digital materials, instructional materials, media assets, and other digital tools and applications; training mechanisms for teachers and others to facilitate integration of digital resources and technologies into instructional strategies; and model policies and procedures that support sustainable implementation practices.~~

(6) PARTNERSHIPS.—A district school board may seek partnerships with other school districts, private businesses, including third-party assessment centers, postsecondary institutions, or consultants to offer classes and instruction to teachers and students to assist the school district in providing CAPE digital materials, certificates, career innovation courses, and academic acceleration industry certifications ~~recognitions, and certificates~~ established pursuant to this section.

(7) RULES.—The State Board of Education shall adopt rules to administer this section.

Section 5. Paragraph (c) of subsection (3) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(c) Three credits in science.—Two of the three required credits must have a laboratory component. A student must earn one credit in Biology I and two credits in equally rigorous courses. The Biology I EOC assessment constitutes 30 percent of the student's final course grade. Industry certification courses that lead to postsecondary college credit may substitute

for up to one science credit. One of the three credits in science, not including Biology I, may be an advanced placement computer science course or a computer science course of appropriate rigor as determined in rule by the State Board of Education.

Section 6. Subsection (1) of section 1003.4285, Florida Statutes, is amended to read:

1003.4285 Standard high school diploma designations.—

(1) Each standard high school diploma shall include, as applicable, the following designations if the student meets the criteria set forth for the designation:

(a) Scholar designation.—In addition to the requirements of ss. 1003.428 and 1003.4282, as applicable, in order to earn the Scholar designation, a student must satisfy the following requirements:

1. English Language Arts (ELA).—Beginning with students entering grade 9 in the 2014-2015 school year, when the state transitions to common core assessments, pass the statewide, standardized 11th grade 11 ELA common core assessment.

2. Mathematics.—Earn one credit in Algebra II and one credit in statistics or an equally rigorous course. Beginning with students entering grade 9 in the 2014-2015 school year, a student when the state transitions to common core assessments, students must pass the Algebra II statewide, standardized common core assessment and the statewide, standardized Geometry end-of-course (EOC) assessment.

3. Science.—Pass the statewide, standardized Biology I EOC end-of-course assessment and earn one credit in chemistry or physics and one credit in a course equally rigorous to chemistry or physics. However, a student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) Biology course who takes the respective AP, IB, or AICE Biology assessment and earns the minimum score necessary to earn postsecondary credit as identified pursuant to s. 1007.27(2) meets the requirement of this subparagraph without having to take the statewide, standardized Biology I EOC assessment.

4. Social studies.—Pass the statewide, standardized United States History EOC end-of-course assessment. However, a student enrolled in an AP, IB, or AICE course that includes United States History topics who takes the respective AP, IB, or AICE assessment and earns the minimum score necessary to earn postsecondary credit as identified pursuant to s. 1007.27(2) meets the requirement of this subparagraph without having to take the statewide, standardized United States History EOC assessment.

5. Foreign language.—Earn two credits in the same foreign language.

6. Electives.—Earn at least one credit in an AP Advanced Placement, an IB International Baccalaureate, an AICE Advanced International Certificate of Education, or a dual enrollment course or earn an industry certification from the Industry Certification Funding List that articulates for postsecondary credit.

(b) Merit designation.—In addition to the requirements of ss. 1003.428 and 1003.4282, as applicable, in order to earn the Merit designation, a student must attain one or more industry certifications from the Industry Certification Funding List ~~established under s. 1003.492. Beginning with students entering grade 9 in the 2014-2015 school year, a student must attain two or more industry certifications from the Industry Certification Funding List.~~

Section 7. Subsection (1) of section 1003.491, Florida Statutes, is amended to read:

1003.491 Florida Career and Professional Education Act.—The Florida Career and Professional Education Act is created to provide a statewide planning partnership between the business and education communities in order to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.

(1) ~~The primary purpose of the Florida Career and professional education (CAPE) Act is to:~~

(a) Improve student achievement. Improve middle and high school academic performance by providing engaging, rigorous, and relevant curriculum opportunities for students to demonstrate competency to perform specific industry-endorsed and industry-recognized skills;

(b) Provides engaging, Provide rigorous, and relevant career-themed courses that articulate to postsecondary credit postsecondary-level coursework and lead to industry certification;

(c) Improves postgraduation employment outcomes by increasing the skills, productivity, and likelihood of gainful employment of students;

(d) Improves the college-going rate of students through industry certifications that articulate for postsecondary credit;

(e)(e) Prepares students to meet the needs of the labor market, thereby supporting Support local and regional economic development;

(f)(d) Responds Respond to Florida's critical workforce needs; and

(g)(e) Provides Provide state residents with access to high-wage and high-demand careers;

(h) Provides elementary, middle, and high school students with opportunities to earn certificates that recognize digital literacy and competency through third-party assessments; and

(i) Provides middle and high school students with opportunities to earn postsecondary credit through courses and programs in which the student demonstrates competency in academic and career content through third-party assessments.

Section 8. Subsection (3) of section 1003.492, Florida Statutes, is amended to read:

1003.492 Industry-certified career education programs.—

(3) The Department of Education shall collect student achievement and performance data in industry-certified career education programs and career-themed courses and shall work with Workforce Florida, Inc., in the analysis of collected data. The data collection and analyses shall examine the performance of participating students over time. Performance factors shall include, but not be limited to, graduation rates, retention rates, Florida Bright Futures Scholarship awards, additional educational attainment, employment records, earnings, industry certification, return on investment, and employer satisfaction. The results of this study shall be submitted to the President of the Senate and the Speaker of the House of Representatives annually by December 31.

Section 9. Subsection (4) is added to section 1003.4935, Florida Statutes, to read:

1003.4935 Middle grades career and professional academy courses and career-themed courses.—

(4) Industry certifications offered in the middle grades that are included on the Industry Certification Funding List are eligible for additional full-time equivalent membership pursuant to s. 1011.62(1).

Section 10. Paragraph (c) of subsection (1) of section 1003.53, Florida Statutes, is amended to read:

1003.53 Dropout prevention and academic intervention.—

(1)

(c) A student shall be identified as being eligible to receive services funded through the dropout prevention and academic intervention program based upon one of the following criteria:

1. The student is academically unsuccessful as evidenced by low test scores, retention, failing grades, low grade point average, falling behind in earning credits, or not meeting the state or district proficiency levels in reading, mathematics, or writing.

2. The student has a pattern of excessive absenteeism or has been identified as a habitual truant.

3. The student has a history of disruptive behavior in school or has committed an offense that warrants out-of-school suspension or expulsion from school according to the district school board's code of student conduct. For the purposes of this program, "disruptive behavior" is behavior that:

a. Interferes with the student's own learning or the educational process of others and requires attention and assistance beyond that which the traditional program can provide or results in frequent conflicts of a disruptive nature while the student is under the jurisdiction of the school either in or out of the classroom; or

b. Severely threatens the general welfare of students or others with whom the student comes into contact.

4. The student is identified by a school's early warning system pursuant to s. 1001.42(18)(b).

Section 11. Section 1006.135, Florida Statutes, is amended to read:

1006.135 Hazing prohibited at high schools with any of grades 6-12 ~~9-12~~ prohibited.—

(1) DEFINITION.—As used in this section, "hazing" means any action or situation that ~~recklessly or intentionally~~ endangers the mental or physical health or safety of a student at a high school with any of grades 6 9 through 12 for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a high school with any of grades 6 9 through 12. "Hazing" includes, but is not limited to:—

(a) Pressuring, or coercing, or forcing a the student into:

1. Violating state or federal law;

2. Consuming any food, liquor, drug, or other substance; or

3. Participating in physical activity that could adversely affect the health or safety of the student.

(b) Any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student, and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student.

Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

(2) SCHOOL DISTRICT POLICY.—Each school district shall adopt in rule a policy that prohibits hazing and establishes consequences for a student who commits an act of hazing. The policy must include:

(a) A definition of hazing, which must include the definition provided in this section.

(b) A procedure for reporting an alleged act of hazing, including provisions that permit a person to anonymously report such an act. However, disciplinary action may not be based solely on an anonymous report.

(c) A requirement that a school with any of grades 9 through 12 report an alleged act of hazing to a local law enforcement agency if the alleged act meets the criteria established under subsection (3).

(d) A provision for referral of victims and perpetrators of hazing to a certified school counselor.

(e) A requirement that each incident of hazing be reported in the school's safety and discipline report required under s. 1006.09(6). The report must include the number of hazing incidents reported, the number of incidents referred to a local law enforcement agency, the number of incidents that result in disciplinary action taken by the school, and the number of incidents that do not result in either referral to a local law enforcement agency or disciplinary action taken by the school.

(3)(2) CRIMINAL PENALTIES.—This subsection applies only to students in any of grades 9 through 12.

(a)1. A person who commits an act of hazing, a third degree felony, punishable as provided in s. 775.082 or s. 775.083, when he or she intentionally or recklessly commits any act of hazing as defined in subsection (1) upon another person who is a member of or an applicant to any type of student organization commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, if the person knew or should have known the act would result in serious bodily injury or death of such other person and the act hazing results in serious bodily injury or death of such other person.

2.(3) A person who commits an act of hazing, a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083, when he or she intentionally or recklessly commits any act of hazing as defined in subsection (1) upon another person who is a member of or an applicant to any type of student organization commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the person knew or should have known the act would create a potential risk of physical injury or death to such other person and the act hazing creates a potential substantial risk of physical injury or death to such other person.

~~(b)(4)~~ As a condition of any sentence imposed pursuant to paragraph (a) subsection (2) or subsection (3), the court:

1. Shall order the defendant to attend and complete a 4-hour hazing education course and may also impose a condition of drug or alcohol probation.

2. May require the defendant to make a public apology to the students and victims at the school.

3. May require the defendant to participate in a school-sponsored antihazing campaign to raise awareness of what constitutes hazing and the penalties for hazing.

~~(c)(5)~~ It is not a defense to a charge of hazing that:

1. ~~(a)~~ Consent of the victim had been obtained;

2. ~~(b)~~ The conduct or activity that resulted in the death or injury of a person was not part of an official organizational event or was not otherwise sanctioned or approved by the organization; or

3. ~~(c)~~ The conduct or activity that resulted in death or injury of the person was not done as a condition of membership to an organization.

~~(4)(6)~~ CONSTRUCTION.—This section shall not be construed to preclude prosecution for a more general offense resulting from the same criminal transaction or episode.

Section 12. Paragraph (p) is added to subsection (21) of section 1007.271, Florida Statutes, and subsection (22) of that section is amended, to read:

1007.271 Dual enrollment programs.—

(21) Each district school superintendent and Florida College System institution president shall develop a comprehensive dual enrollment articulation agreement for the respective school district and Florida College System institution. The superintendent and president shall establish an articulation committee for the purpose of developing the agreement. Each state university president may designate a university representative to participate in the development of a dual enrollment articulation agreement. A dual enrollment articulation agreement shall be completed and submitted annually by the Florida College System institution to the Department of Education on or before August 1. The agreement must include, but is not limited to:

(p) Provisions required by s. 1007.273(3) for the establishment of a collegiate high school program.

(22) The Department of Education shall develop an electronic submission system for dual enrollment articulation agreements and shall review, for compliance, each dual enrollment articulation agreement submitted pursuant to subsection (21). The Commissioner of Education shall notify the district school superintendent and the Florida College System institution president if the dual enrollment articulation agreement does not comply with statutory requirements and shall submit any dual enrollment articulation agreement with unresolved issues of noncompliance to the State Board of Education. The State Board of Education shall enforce compliance with this section and s. 1007.273 by withholding the transfer of funds from the school district and Florida College System institution in accordance with s. 1008.32.

Section 13. Section 1007.273, Florida Statutes, is created to read:

1007.273 Collegiate High School Program.—

(1) The Collegiate High School Program is established to provide eligible high school students in grades 11 and 12 an option to participate in academically challenging educational environments that offer rigorous academic instruction and career preparation. All students shall have access to options that allow them to simultaneously earn a standard high school diploma, at least 30 credits toward an associate or baccalaureate degree to include completion of the 15-credit general education core course requirements established pursuant to s. 1007.25, and industry certifications.

(2) Each Florida College System institution shall offer a collegiate high school program that will be available to all eligible high school students in the institution's service area and that will be funded in accordance with the requirements of ss. 1007.271 and 1011.62. A high school operated by a Florida College System institution that is funded pursuant to s. 1002.33(17) satisfies this requirement. State University System institutions and eligible independent colleges and universities pursuant to s. 1011.62(1)(i) may offer a collegiate high school program.

(3) Beginning with the 2015-2016 school year, each articulation agreement established pursuant to s. 1007.271(21) must include:

(a) The grade levels to be included in the collegiate high school program which must, at a minimum, include grade 12.

(b) A description of the collegiate high school program, including the delineation of courses and industry certifications offered; the high school credits earned for each postsecondary course completed; the applicability of courses to postsecondary general education requirements and students' selected meta-majors pursuant to s. 1008.30; student eligibility criteria, which must meet or exceed the eligibility requirements established in s. 1007.271; and the enrollment process and deadlines.

(c) The methods, medium, and process by which students and their parents are annually informed about the collegiate high school program, which must contain the information described in paragraphs (a) and (b).

(d) The delivery methods for instruction for all courses offered through the collegiate high school program, which may include partnerships with other postsecondary institutions.

(e) Student progress monitoring mechanisms and career and academic counseling services to be provided to students in the collegiate high school program.

(f) A program review and accountability system for the collegiate high school program that provides data regarding student performance outcomes and solicits parent and student feedback on the program.

(4) Each student participating in a collegiate high school program must enter into a student performance contract which must be signed by the student, the parent, and representatives of the school district and the postsecondary institution. The performance contract must include the schedule of courses, by semester, to be taken by the student, industry certifications sought, student attendance requirements, and course grade requirements.

(5) A state university or an institution that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program that is a nonprofit independent college or university located and chartered in this state and that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees may work with one or more district school boards to establish a collegiate high school program. Such university or institution must meet the requirements specified in subsections (3) and (4).

Section 14. Subsection (5) of section 1008.345, Florida Statutes, is amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

(5) The commissioner shall report to the Legislature and recommend changes in state policy necessary to foster school improvement and education accountability. Included in the report shall be a list of the schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, for which district school boards have developed intervention and support strategies and an analysis of the various strategies used by the school boards. School reports shall be distributed pursuant to this subsection and s. 1001.42(18)(c) ~~1001.42(18)(b)~~ and according to rules adopted by the State Board of Education.

Section 15. Section 1008.44, Florida Statutes, is amended to read:

1008.44 Industry certifications; certificates; Industry Certification Funding List and Postsecondary Industry Certification Funding List.—

(1) Pursuant to ss. 1003.4203 and s. 1003.492, the Department of Education shall, at least annually, identify, under rules adopted by the State Board of Education, the Industry Certification Funding List that must be applied in the distribution of funding to school districts pursuant to s. 1011.62.

(a) The Commissioner of Education may at any time recommend adding the following certifications and certificates:

1. Industry certifications that do not articulate for postsecondary credit.

2. Industry certifications that articulate for postsecondary credit. An industry certification that articulates to 15 or more postsecondary credits is an academic acceleration industry certification as described in s. 1003.4203(4).

3. No more than 15 digital tool certificates as described in s. 1003.4203(2).

4. Certifications earned through career innovation courses as described in s. 1003.4203(3).

(b) A certification or certificate may not be included on the Industry Certification Funding List unless there is a corresponding assessment that a student must pass in order to attain the certification or certificate.

(c) Workforce Florida, Inc., established pursuant to s. 445.004, may annually select one industry certification that does not articulate for postsecondary credit for inclusion on the Industry Certification Funding List.

(2) The State Board of Education shall approve, at least annually, the Postsecondary Industry Certification Funding List pursuant to this section. The Commissioner of Education shall recommend, at least annually, the Postsecondary Industry Certification Funding List to the State Board of Education and may at any time recommend adding certifications. The Chancellor of the State University System, the Chancellor of the Florida College System, and the Chancellor of Career and Adult Education shall work with local workforce boards, other postsecondary institutions, businesses, and industry to identify, create, and recommend to the Commissioner of Education industry certifications to be placed on the funding list. The list shall be used to determine annual performance funding distributions to school districts or Florida College System institutions as specified in ss. 1011.80 and 1011.81, respectively. The chancellors shall review results of the economic security report of employment and earning outcomes produced annually pursuant to s. ~~445.07~~ ~~445.007~~ when determining recommended certifications for the list, as well as other reports and indicators available regarding certification needs.

(3) In the case of rigorous industry certifications that have embedded prerequisite minimum age, grade level, diploma or degree, postgraduation period of work experience of at least 12 months, or other reasonable requirements that may limit the extent to which a student can complete all requirements of the certification recognized by industry for employment purposes, the Commissioner of Education shall differentiate content, instructional, and assessment requirements that, when provided by a public institution and satisfactorily attained by a student, indicate accomplishment of requirements necessary for funding pursuant to ss. 1011.62, 1011.80, and 1011.81, notwithstanding attainment of prerequisite requirements necessary for recognition by industry for employment purposes. The differentiated requirements established by the Commissioner of Education shall be included on ~~in~~ the Industry Certification Funding List at the time the certification is adopted.

(4)(a) Industry certifications and certificates placed on the Industry Certification Funding List must include the version available at the time of the adoption and, without further review and approval, include the subsequent updates, unless specifically removed from the Industry Certification Funding List.

(b) The Commissioner of Education may limit industry certifications and digital tool certificates to students in certain grades based on formal recommendations by providers of industry certifications and digital tools.

Section 16. Paragraphs (o), (p), (s), (t), and (u) of subsection (1) of section 1011.62, Florida Statutes, are amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(o) Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.4203, 1003.491, 1003.492, and 1003.493, and 1003.4935 and issuance of an industry certification or a certificate identified on ~~in~~ the Industry Certification Funding List pursuant to rules adopted by the State Board of Education.—

1.a. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a career and professional academy or career-themed course pursuant to ss. 1003.4203, 1003.491, 1003.492, 1003.493, and 1003.4935 as defined in s. 1003.493(1)(b) and who is issued the highest level of ~~an~~ industry certification identified annually on ~~in~~ the Industry Certification Funding List approved under rules adopted by the State Board of Education. The maximum full-time equivalent student membership value earned pursuant to this sub-subparagraph for any student ~~in grades 9~~

~~through 12~~ is 0.3. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued an industry certification that has a statewide articulation agreement for postsecondary ~~college~~ credit approved by the State Board of Education. For industry certifications that do not articulate for postsecondary ~~college~~ credit, the Department of Education shall assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional full-time equivalent student membership for a digital tool certificate pursuant to sub-subparagraph b. may not use the previously earned certificate to satisfy requirements for earning an industry certification under this sub-subparagraph. The State Board of Education shall include the assigned values on ~~in~~ the Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership in secondary career education programs for grades ~~6~~ ~~9~~ through 12 in the subsequent year for courses that were not provided through dual enrollment. Industry certifications earned through dual enrollment must be reported and funded pursuant to ss. 1011.80 and 1011.81. No more than a value of 0.3 full-time equivalent student membership shall be calculated for industry certifications earned through a career innovation course as described in s. 1003.4203(3).

b. A value of 0.025 full-time equivalent student membership shall be calculated for each digital tool certificate earned by a student in elementary and middle school grades. Additional full-time equivalent student membership for an elementary or middle grades student may not exceed 0.1 for certificates earned within the same fiscal year.

c. A value of 0.5 full-time equivalent student membership shall be calculated for each academic acceleration industry certification that articulates for 15 to 29 postsecondary credit hours, and a value of 1.0 full-time equivalent student membership shall be calculated for each academic acceleration industry certification that articulates for 30 or more postsecondary credit hours, as identified on the Industry Certification Funding List.

2. Each district must allocate at least 80 percent of the funds provided for industry certification, in accordance with this paragraph, to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program. Unless a different amount is specified in the General Appropriations Act, the appropriation for this calculation is limited to \$60 million annually. If the appropriation is insufficient to fully fund the total calculation, the appropriation shall be prorated.

3. For industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of an industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

a. A bonus in the amount of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of an industry certification on the Industry Certification Funding List with a weight of 0.1.

b. A bonus in the amount of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of an industry certification on the Industry Certification Funding List with a weight of 0.2, 0.5, and 1.0.

~~4. For the 2013-2014 fiscal year, the additional FTE membership calculation must include the additional FTE for any student who earned a certification in the 2009-2010, 2010-2011, and 2011-2012 fiscal years who was not previously funded and was enrolled in 2012-2013.~~

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of an industry certification on the Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher under this paragraph may not exceed \$2,000 in any given school year and is in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(p) Calculation of additional full-time equivalent membership based upon early high school graduation.—~~Each~~ ~~Notwithstanding s. 1011.61(4), each unpaid high school credit delivered by a school district may receive funding~~

~~for each during the student's prior enrollment may be reported by the district as 1/6 FTE when the student who graduates early pursuant to s. 1003.4281. A district may earn 0.25 full-time equivalent membership report up to 1/2 FTE for unpaid credits delivered by the district for a student who graduates one semester in advance of the student's cohort and may earn 0.5 full-time equivalent membership up to 1 FTE for a student who graduates 1 year or more in advance of the student's cohort. If the student was enrolled in the district as a full-time high school student for at least 2 years, the district of enrollment shall report the additional unpaid FTE and delivered by the district during the student's prior enrollment. If the student was enrolled in the district for less than 2 years, the district shall report the unpaid FTE delivered by the district and by the district in which the student was previously enrolled. The district of enrollment for which early graduation is claimed shall transfer a proportionate share of the funds earned for early graduation the unpaid FTE to the district in which the student was previously enrolled. Additional FTE included in the 2014-2015 Florida Education Finance Program for early graduation shall be reported and funded pursuant to this paragraph.~~

~~(s) Florida Cyber Security Recognition, Florida Digital Arts Recognition, and Florida Digital Tools Certificate established pursuant to s. 1003.4203.—~~

~~1. Each school district shall certify by June 30 of each year to the Department of Education each elementary school that achieves 50 percent of student attainment of the Florida Cyber Security Recognition or the Florida Digital Arts Recognition established pursuant to s. 1003.4203. Upon verification by the department, each school that has achieved the designated student recognitions shall be awarded a Florida Digital Learning Certificate of Achievement by the Commissioner of Education.~~

~~2. Each middle school shall receive \$50 for each student who earns the Florida Digital Tools Certificate established pursuant to s. 1003.4203 with a minimum awarded per school of \$1,000 annually and a maximum award per school of \$15,000 annually. This performance payment shall be calculated in the FEFP as a full-time equivalent student.~~

~~(s)(t) Determination of the basic amount for current operation.—The basic amount for current operation to be included in the Florida Education Finance Program for kindergarten through grade 12 for each district shall be the product of the following:~~

~~1. The full-time equivalent student membership in each program, multiplied by~~

~~2. The cost factor for each program, adjusted for the maximum as provided by paragraph (c), multiplied by~~

~~3. The base student allocation.~~

~~(t)(u) Computation for funding through the Florida Education Finance Program.—The State Board of Education may adopt rules establishing programs, industry certifications, and courses for which the student may earn credit toward high school graduation.~~

Section 17. Paragraph (d) is added to subsection (3) of section 1012.98, Florida Statutes, and subsections (4) and (7) of that section are amended, to read:

1012.98 School Community Professional Development Act.—

(3) The activities designed to implement this section must:

(d) Provide middle grades instructional personnel and school administrators with the knowledge, skills, and best practices necessary to support excellence in classroom instruction and educational leadership.

(4) The Department of Education, school districts, schools, Florida College System institutions, and state universities share the responsibilities described in this section. These responsibilities include the following:

(a) 1. The department shall disseminate to the school community research-based professional development methods and programs that have demonstrated success in meeting identified student needs. The Commissioner of Education shall use data on student achievement to identify student needs. The methods of dissemination must include a web-based statewide performance support system, including a database of exemplary professional development activities, a listing of available professional development resources, training programs, and available assistance.

2. The web-based statewide performance support system established pursuant to subparagraph 1. must include for middle grades, subject to appropriation, materials related to classroom instruction, including integrated

digital instruction and competency-based instruction; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership.

(b) Each school district shall develop a professional development system as specified in subsection (3). The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional development system must:

1. Be approved by the department. All substantial revisions to the system shall be submitted to the department for review for continued approval.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional development system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

4. Include a master plan for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The master plan shall be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice plan must be aligned to and support the school-based inservice plans and school improvement plans pursuant to s. 1001.42(18). Each district inservice plan must provide a description of the training that middle grades instructional personnel and school administrators receive on the district's code of student conduct adopted pursuant to s. 1006.07; integrated digital instruction and competency-based instruction; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards must submit verification of their approval to the Commissioner of Education no later than October 1, annually. Each school principal may establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). An individual professional development plan must be related to specific performance data for the students to whom the teacher is assigned, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the professional development plan.

5. Include inservice activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

6. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs.

7. Provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.

8. Provide for the continuous evaluation of the quality and effectiveness of professional development programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the

impact of such activities on the performance of participating educators and their students' achievement and behavior.

9. For middle grades, emphasize:

a. Interdisciplinary planning, collaboration, and instruction.

b. Alignment of curriculum and instructional materials to the state academic standards adopted pursuant to s. 1003.41.

c. Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.

Each school that includes any of grades 6, 7, or 8 must include in its school improvement plan, required under s. 1001.42(18), a description of the specific strategies used by the school to implement each item listed in this subparagraph.

(7)(a) The Department of Education shall disseminate, using web-based technology, research-based best practice methods by which the state and district school boards may evaluate and improve the professional development system. The best practices must include data that indicate the progress of all students. The department shall report annually to the State Board of Education and the Legislature any school district that, in the determination of the department, has failed to provide an adequate professional development system. This report must include the results of the department's investigation and of any intervention provided.

(b) The department shall also disseminate, using web-based technology, professional development in the use of integrated digital instruction at schools that include middle grades. The professional development must provide training and materials that districts can use to provide instructional personnel with the necessary knowledge, skills, and strategies to effectively blend digital instruction into subject-matter curricula. The professional development must emphasize online learning and research techniques, reading instruction, the use of digital devices to supplement the delivery of curricular content to students, and digital device management and security. Districts are encouraged to incorporate the professional development as part of their professional development system.

Section 18. Section 768.072, Florida Statutes, is created to read:

768.072 Limitation on public school premises liability.—

(1) A district school board is not liable for civil damages for personal injury, property damage, or death that occurs on a public school property that the district school board has opened to the public through joint-use agreements or public access policies unless gross negligence or intentional misconduct on the part of the district school board is a proximate cause of the injury, damage, or death.

(2) A district school board may, at its discretion, enter into a joint-use agreement with a local government or a private organization or adopt public access policies to enable public access to indoor or outdoor recreation and sports facilities on public school property. A joint-use agreement should specify the facilities to be used, dates and times of use, and terms and conditions governing use of such facilities; may provide for the full indemnification of the district school board by the local government or private organization for any damages arising from the joint use; and may require the local government or private organization to maintain liability insurance of at least \$200,000 per person and \$300,000 per incident to cover the indemnification.

(3) This section does not affect liability for injury, damage, or death that occurs during school hours or during a school-sponsored activity.

(4) This section does not waive sovereign immunity beyond the limited waiver in s. 768.28.

Section 19. Section 985.622, Florida Statutes, is amended to read:

985.622 Multiagency plan for career and professional education (CAPE) vocational education.—

(1) The Department of Juvenile Justice and the Department of Education shall, in consultation with the statewide Workforce Development Youth Council, school districts, providers, and others, jointly develop a multiagency plan for career and professional education (CAPE) ~~vocational education~~ that establishes the curriculum, goals, and outcome measures for CAPE ~~vocational~~

programs in juvenile ~~justice education programs~~ ~~commitment facilities~~. The plan must ~~be reviewed annually, revised as appropriate, and include:~~

(a) Provisions for maximizing appropriate state and federal funding sources, including funds under the Workforce Investment Act and the Perkins Act;

(b) Provisions for eliminating barriers to increasing occupation-specific ~~job training and high school equivalency examination preparation opportunities.~~

(c)(b) The responsibilities of both departments and all other appropriate entities; ~~and~~

(d)(e) A detailed implementation schedule.

(2) The plan must define CAPE ~~vocational~~ programming that is appropriate based upon:

(a) The age and assessed educational abilities and goals of the ~~student youth~~ to be served; and

(b) The typical length of stay and custody characteristics at the ~~juvenile justice education commitment~~ program to which each ~~student youth~~ is assigned.

(3) The plan must include a definition of CAPE ~~vocational~~ programming that includes the following classifications of ~~juvenile justice education programs commitment facilities~~ that will offer CAPE ~~vocational~~ programming by one of the following types:

(a) Type 1 ~~A~~.—Programs that teach personal accountability skills and behaviors that are appropriate for students ~~youth~~ in all age groups and ability levels and that lead to work habits that help maintain employment and living standards.

(b) Type 2 ~~B~~.—Programs that include Type 1 ~~A~~ program content and an orientation to the broad scope of career choices, based upon personal abilities, aptitudes, and interests. Exploring and gaining knowledge of occupation options and the level of effort required to achieve them are essential prerequisites to skill training.

(c) Type 3 ~~C~~.—Programs that include Type 1 ~~A~~ program content and the ~~vocational~~ competencies or the prerequisites needed for entry into a specific occupation.

(4) The plan must also address strategies to facilitate involvement of business and industry in the design, delivery, and evaluation of CAPE ~~vocational~~ programming in juvenile justice ~~education commitment facilities and conditional release~~ programs, including apprenticeship and work experience programs, mentoring and job shadowing, and other strategies that lead to postrelease employment. Incentives for business involvement, such as tax breaks, bonding, and liability limits should be investigated, implemented where appropriate, or recommended to the Legislature for consideration.

(5) The plan must also evaluate the effect of students' mobility between juvenile justice education programs and school districts on the students' educational outcomes and whether the continuity of the students' education can be better addressed through virtual education.

(6)(5) The Department of Juvenile Justice and the Department of Education shall each align its respective agency policies, practices, technical manuals, contracts, quality-assurance standards, performance-based-budgeting measures, and outcome measures with the plan in ~~juvenile justice education programs commitment facilities~~ by July 31, 2015 ~~2001~~. Each agency shall provide a report on the implementation of this section to the Governor, the President of the Senate, and the Speaker of the House of Representatives by August 31, 2015 ~~2001~~.

(7)(6) All provider contracts executed by the Department of Juvenile Justice or the school districts after January 1, 2015 ~~2002~~, must be aligned with the plan.

(8)(7) The planning and execution of quality assurance reviews conducted by the Department of Education or the Department of Juvenile Justice after August 1, 2015 ~~2002~~, must be aligned with the plan.

(9)(8) Outcome measures reported by the Department of Juvenile Justice and the Department of Education for ~~students youth~~ released on or after January 1, 2016 ~~2002~~, should include outcome measures that conform to the plan.

Section 20. Section 1001.31, Florida Statutes, is amended to read:

1001.31 Scope of district system.—A district school system shall include all public schools, classes, and courses of instruction and all services and

activities directly related to education in that district which are under the direction of the district school officials. A district school system may also include alternative site schools for disruptive or violent students ~~youth~~. Such schools for disruptive or violent ~~students youth~~ may be funded by each district or provided through cooperative programs administered by a consortium of school districts, private providers, state and local law enforcement agencies, and the Department of Juvenile Justice. Pursuant to cooperative agreement, a district school system shall provide instructional personnel at juvenile justice facilities of ~~50 or more beds or slots~~ with access to the district school system database for the purpose of accessing student academic, immunization, and registration records for students assigned to the programs. Such access shall be in the same manner as provided to other schools in the district.

Section 21. Section 1003.51, Florida Statutes, is amended to read:

1003.51 Other public educational services.—

(1) The general control of other public educational services shall be vested in the State Board of Education except as provided in this section ~~herein~~. The State Board of Education shall, at the request of the Department of Children and Families ~~Family Services~~ and the Department of Juvenile Justice, advise as to standards and requirements relating to education to be met in all state schools or institutions under their control which provide educational programs. The Department of Education shall provide supervisory services for the educational programs of all such schools or institutions. The direct control of any of these services provided as part of the district program of education shall rest with the district school board. These services shall be supported out of state, district, federal, or other ~~lawful~~ funds, depending on the requirements of the services being supported.

(2) The State Board of Education shall adopt ~~rules and maintain an administrative rule~~ articulating expectations for effective education programs for ~~students youth~~ in Department of Juvenile Justice programs, including, but not limited to, education programs in juvenile justice prevention, day treatment, residential, commitment and detention programs facilities. The rule shall ~~establish~~ articulate policies and standards for education programs for ~~students youth~~ in Department of Juvenile Justice programs and shall include the following:

(a) The interagency collaborative process needed to ensure effective programs with measurable results.

(b) The responsibilities of the Department of Education, the Department of Juvenile Justice, Workforce Florida, Inc., district school boards, and providers of education services to ~~students youth~~ in Department of Juvenile Justice programs.

(c) Academic expectations.

(d) Career expectations.

(e) Education transition planning and services.

(f)(4) Service delivery options available to district school boards, including direct service and contracting.

(g)(e) Assessment procedures, which:

1. ~~For prevention, day treatment, and residential programs, include appropriate academic and career assessments administered at program entry and exit that are selected by the Department of Education in partnership with representatives from the Department of Juvenile Justice, district school boards, and education providers. Assessments must be completed within the first 10 school days after a student's entry into the program.~~

2. Provide for determination of the areas of academic need and strategies for appropriate intervention and instruction for each student in a detention facility within 5 school days after the student's entry into the program and administer a research-based assessment that will assist the student in determining his or her educational and career options and goals within 22 school days after the student's entry into the program. Require district school boards to be responsible for ensuring the completion of the assessment process.

3. ~~Require assessments for students in detention who will move on to commitment facilities, to be designed to create the foundation for developing the student's education program in the assigned commitment facility.~~

4. ~~Require assessments of students sent directly to commitment facilities to be completed within the first 10 school days of the student's commitment.~~

The results of these assessments, together with a portfolio depicting the student's academic and career accomplishments, shall be included in the discharge ~~packet package~~ assembled for each ~~student youth~~.

(h)(f) Recommended instructional programs, including, but not limited to:

1. Secondary education.

2. High school equivalency examination preparation.

3. Postsecondary education.

4. Career and professional education (CAPE). ~~career training and~~

5. Job preparation.

6. Virtual education that:

a. Provides competency-based instruction that addresses the unique academic needs of the student through delivery by an entity accredited by AdvanceED or the Southern Association of Colleges and Schools.

b. Confers certifications and diplomas.

c. Issues credit that articulates with and transcripts that are recognized by secondary schools.

d. Allows the student to continue to access and progress through the program once the student leaves the juvenile justice system.

(i)(g) Funding requirements, which shall include the requirement that at least 90 percent of the FEFP funds generated by students in Department of Juvenile Justice programs or in an education program for juveniles under s. 985.19 be spent on instructional costs for those students. One hundred percent of the formula-based categorical funds generated by students in Department of Juvenile Justice programs must be spent on appropriate categoricals such as instructional materials and public school technology for those students.

(j)(h) Qualifications of instructional staff, procedures for the selection of instructional staff, and procedures ~~for to ensure~~ consistent instruction and qualified staff year round. Qualifications shall include those for instructors of CAPE courses, standardized across the state, and shall be based on state certification, local school district approval, and industry-recognized certifications as identified on the Industry Certification Funding List. Procedures for the use of noncertified instructional personnel who possess expert knowledge or experience in their fields of instruction shall be established.

(k)(i) Transition services, including the roles and responsibilities of appropriate personnel in the juvenile justice education program, the school district where the student will reenter districts, provider organizations, and the Department of Juvenile Justice.

(l)(j) Procedures and timeframe for transfer of education records when a ~~student youth~~ enters and leaves a Department of Juvenile Justice education program facility.

(m)(k) The requirement that each district school board maintain an academic transcript for each student enrolled in a juvenile justice education program facility that delineates each course completed by the student as provided by the State Course Code Directory.

(n)(l) The requirement that each district school board make available and transmit a copy of a student's transcript in the discharge packet when the student exits a juvenile justice education program facility.

(o)(m) contract requirements.

(p)(n) Performance expectations for providers and district school boards, including student performance measures by type of program, education program performance ratings, school improvement, and corrective action plans for low-performing programs ~~the provision of a progress monitoring plan as required in s. 1008.25.~~

(q)(o) The role and responsibility of the district school board in securing workforce development funds.

(r)(p) A series of graduated sanctions for district school boards whose educational programs in Department of Juvenile Justice programs facilities are considered to be unsatisfactory and for instances in which district school boards fail to meet standards prescribed by law, rule, or State Board of Education policy. These sanctions shall include the option of requiring a district school board to contract with a provider or another district school board if the educational program at the Department of Juvenile Justice program is performing below minimum standards facility has failed a quality assurance review and, after 6 months, is still performing below minimum standards.

(s) Curriculum, guidance counseling, transition, and education services expectations, including curriculum flexibility for detention centers operated by the Department of Juvenile Justice.

~~(t)(q)~~ Other aspects of program operations.

(3) The Department of Education in partnership with the Department of Juvenile Justice, the district school boards, and providers shall:

(a) Develop and implement requirements for contracts and cooperative agreements regarding ~~Maintain model contracts~~ for the delivery of appropriate education services to students youth in Department of Juvenile Justice education programs to be used for the development of future contracts. The minimum contract requirements shall include, but are not limited to, payment structure and amounts; access to district services; contract management provisions; data reporting requirements, including reporting of full-time equivalent student membership; administration of federal programs such as Title I, exceptional student education, and the Carl D. Perkins Career and Technical Education Act of 2006; and model contracts shall reflect the policy and standards included in subsection (2). ~~The Department of Education shall ensure that appropriate district school board personnel are trained and held accountable for the management and monitoring of contracts for education programs for youth in juvenile justice residential and nonresidential facilities.~~

(b) Develop and implement ~~Maintain model~~ procedures for transitioning students youth into and out of Department of Juvenile Justice education programs. These procedures shall reflect the policy and standards adopted pursuant to subsection (2).

(c) Maintain standardized required content of education records to be included as part of a student's youth's commitment record and procedures for securing the student's records. The education records ~~These requirements shall reflect the policy and standards adopted pursuant to subsection (2) and shall include, but not be limited to, the following:~~

1. A copy of the student's individual educational plan.
2. A copy of the student's individualized progress monitoring plan.
3. A copy of the student's individualized transition plan.

~~4.2.~~ Data on student performance on assessments taken according to s. 1008.22.

~~5.3.~~ A copy of the student's permanent cumulative record.

~~6.4.~~ A copy of the student's academic transcript.

~~7.5.~~ A portfolio reflecting the student's youth's academic accomplishments and industry certification earned, when age appropriate, while in the Department of Juvenile Justice program.

(d) Establish ~~Maintain model~~ procedures for securing the education record and the roles and responsibilities of the juvenile probation officer and others involved in the withdrawal of the student from school and assignment to a juvenile justice education program commitment or detention facility. ~~District school boards shall respond to requests for student education records received from another district school board or a juvenile justice facility within 5 working days after receiving the request.~~

(4) ~~The Department of Education shall ensure that district school board shall;~~ boards

(a) Notify students in juvenile justice education programs residential or nonresidential facilities who attain the age of 16 years of the provisions of law regarding compulsory school attendance and make available the option of enrolling in an education a program to attain a Florida high school diploma by taking the high school equivalency examination before General Educational Development test prior to release from the program facility. ~~The Department of Education shall assist juvenile justice education programs with becoming high school equivalency examination centers District school boards or Florida College System institutions, or both, shall waive GED testing fees for youth in Department of Juvenile Justice residential programs and shall, upon request, designate schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs as GED testing centers, subject to GED testing center requirements. The administrative fees for the General Educational Development test required by the Department of Education are the responsibility of district school boards and may be required of providers by contractual agreement.~~

(b) Respond to requests for student education records received from another district school board or a juvenile justice education program within 5 working days after receiving the request.

(c) Provide access to courses offered pursuant to ss. 1002.37, 1002.45, and 1003.498. School districts and providers may enter into cooperative agreements for the provision of curriculum associated with courses offered pursuant to s. 1003.498 to enable providers to offer such courses.

(d) Complete the assessment process required by subsection (2).

(e) Monitor compliance with contracts for education programs for students in juvenile justice prevention, day treatment, residential, and detention programs.

(5) The Department of Education shall establish and operate, either directly or indirectly through a contract, a mechanism to provide accountability measures that annually assesses and evaluates all juvenile justice education programs using student performance data and program performance ratings by type of program ~~quality assurance reviews of all juvenile justice education programs~~ and shall provide technical assistance and related research to district school boards and juvenile justice education providers ~~on how to establish, develop, and operate educational programs that exceed the minimum quality assurance standards.~~ The Department of Education, with input from the Department of Juvenile Justice, school districts, and education providers shall develop annual recommendations for system and school improvement.

Section 22. Section 1003.52, Florida Statutes, is amended to read:

1003.52 Educational services in Department of Juvenile Justice programs.—

(1) ~~The Legislature finds that education is the single most important factor in the rehabilitation of adjudicated delinquent youth in the custody of Department of Juvenile Justice programs. It is the goal of the Legislature that youth in the juvenile justice system continue to be allowed the opportunity to obtain a high quality education.~~ The Department of Education shall serve as the lead agency for juvenile justice education programs, curriculum, support services, and resources. To this end, the Department of Education and the Department of Juvenile Justice shall each designate a Coordinator for Juvenile Justice Education Programs to serve as the point of contact for resolving issues not addressed by district school boards and to provide each department's participation in the following activities:

(a) Training, collaborating, and coordinating with ~~the Department of Juvenile Justice,~~ district school boards, regional workforce boards and local youth councils, educational contract providers, and juvenile justice providers, whether state operated or contracted.

(b) Collecting information on the academic, career and professional education (CAPE), and transition performance of students in juvenile justice programs and reporting on the results.

(c) Developing academic and CAPE ~~career~~ protocols that provide guidance to district school boards and juvenile justice education providers in all aspects of education programming, including records transfer and transition.

(d) Implementing a joint accountability, program performance, and program improvement process ~~Prescribing the roles of program personnel and interdepartmental district school board or provider collaboration strategies.~~

Annually, a cooperative agreement and plan for juvenile justice education service enhancement shall be developed between the Department of Juvenile Justice and the Department of Education and submitted to the Secretary of Juvenile Justice and the Commissioner of Education by June 30. The plan shall include, at a minimum, each agency's role regarding educational program accountability, technical assistance, training, and coordination of services.

(2) Students participating in Department of Juvenile Justice education programs pursuant to chapter 985 which are sponsored by a community-based agency or are operated or contracted for by the Department of Juvenile Justice shall receive education ~~educational~~ programs according to rules of the State Board of Education. These students shall be eligible for services afforded to students enrolled in programs pursuant to s. 1003.53 and all corresponding State Board of Education rules.

(3) The district school board of the county in which the juvenile justice education prevention, day treatment, residential, or detention program residential or nonresidential care facility or juvenile assessment facility is located shall provide or contract for appropriate educational assessments and an appropriate program of instruction and special education services.

(a) The district school board shall make provisions for each student to participate in basic, CAPE career education, and exceptional student programs as appropriate. Students served in Department of Juvenile Justice education programs shall have access to the appropriate courses and instruction to prepare them for the high school equivalency examination GED test. Students participating in high school equivalency examination GED preparation programs shall be funded at the basic program cost factor for Department of Juvenile Justice programs in the Florida Education Finance Program. Each program shall be conducted according to applicable law providing for the operation of public schools and rules of the State Board of Education. School districts shall provide the high school equivalency examination GED exit option for all juvenile justice education programs.

(b) ~~By October 1, 2004,~~ The Department of Education, with the assistance of the school districts and juvenile justice education providers, shall select a common student assessment instrument and protocol for measuring student learning gains and student progression while a student is in a juvenile justice education program. The Department of Education and the Department of Juvenile Justice shall jointly review the effectiveness of this assessment and implement changes as necessary. The assessment instrument and protocol must be implemented in all juvenile justice education programs in this state by January 1, 2005.

(4) Educational services shall be provided at times of the day most appropriate for the juvenile justice program. School programming in juvenile justice detention, prevention, day treatment, and residential commitment, and rehabilitation programs shall be made available by the local school district during the juvenile justice school year, as provided defined in s. 1003.01(11). In addition, students in juvenile justice education programs shall have access to courses offered pursuant to ss. 1002.37, 1002.45, and 1003.498 ~~Florida Virtual School courses~~. The Department of Education and the school districts shall adopt policies necessary to provide ensure such access.

(5) The educational program shall provide instruction based on each student's individualized transition plan, assessed educational needs, and the education programs available in the school district in which the student will return. Depending on the student's needs, educational programming may consist of remedial courses, consist of appropriate basic academic courses required for grade advancement, CAPE courses, high school equivalency examination preparation career, or exceptional student education curricula and related services which support the transition treatment goals and reentry and which may lead to completion of the requirements for receipt of a high school diploma or its equivalent. Prevention and day treatment juvenile justice education programs, at a minimum, shall provide career readiness and exploration opportunities as well as truancy and dropout prevention intervention services. Residential juvenile justice education programs with a contracted minimum length of stay of 9 months shall provide CAPE courses that lead to preapprentice certifications and industry certifications. Programs with contracted lengths of stay of less than 9 months may provide career education courses that lead to preapprentice certifications and CAPE industry certifications. If the duration of a program is less than 40 days, the educational component may be limited to tutorial remediation activities, and career employability skills instruction, education counseling, and transition services that prepare students for a return to school, the community, and their home settings based on the students' needs.

(6) Participation in the program by students of compulsory school-attendance age as provided for in s. 1003.21 shall be mandatory. All students of noncompulsory school-attendance age who have not received a high school diploma or its equivalent shall participate in the educational program, unless the student files a formal declaration of his or her intent to terminate school enrollment as described in s. 1003.21 and is afforded the opportunity to take the general educational development test and attain a Florida high school diploma before prior to release from a juvenile justice education program facility. A student youth who has received a high school diploma or its equivalent and is not employed shall participate in workforce development or

other CAPE career or technical education or Florida College System institution or university courses while in the program, subject to available funding.

(7) An individualized A progress monitoring plan shall be developed for all students not classified as exceptional education students upon entry in a juvenile justice education program and upon reentry in the school district who score below the level specified in district school board policy in reading, writing, and mathematics or below the level specified by the Commissioner of Education on statewide assessments as required by s. 1008.25. These plans shall address academic, literacy, and career and technical life skills and shall include provisions for intensive remedial instruction in the areas of weakness.

(8) Each district school board shall maintain an academic record for each student enrolled in a juvenile justice education program facility as prescribed by s. 1003.51. Such record shall delineate each course completed by the student according to procedures in the State Course Code Directory. The district school board shall include a copy of a student's academic record in the discharge packet when the student exits the program facility.

(9) ~~The Department of Education shall ensure that all~~ district school board shall boards make provisions for high school level students youth to earn credits toward high school graduation while in residential and nonresidential juvenile justice education programs facilities. Provisions must be made for the transfer of credits and partial credits earned.

(10) School districts and juvenile justice education providers shall develop individualized transition plans during the course of a student's stay in a juvenile justice education program to coordinate academic, career and technical, and secondary and postsecondary services that assist the student in successful community reintegration upon release. Development of the transition plan shall be a collaboration of the personnel in the juvenile justice education program, reentry personnel, personnel from the school district where the student will return, the student, the student's family, and Department of Juvenile Justice personnel for committed students.

(a) Transition planning must begin upon a student's placement in the program. The transition plan must include, at a minimum:

1. Services and interventions that address the student's assessed educational needs and postrelease education plans.

2. Services to be provided during the program stay and services to be implemented upon release, including, but not limited to, continuing education in secondary school, CAPE programs, postsecondary education, or employment, based on the student's needs.

3. Specific monitoring responsibilities to determine whether the individualized transition plan is being implemented and the student is provided access to support services that will sustain the student's success by individuals who are responsible for the reintegration and coordination of these activities.

(b) For the purpose of transition planning and reentry services, representatives from the school district and the one stop center where the student will return shall participate as members of the local Department of Juvenile Justice reentry teams. The school district, upon return of a student from a juvenile justice education program, must consider the individual needs and circumstances of the student and the transition plan recommendations when reenrolling a student in a public school. A local school district may not maintain a standardized policy for all students returning from a juvenile justice program but place students based on their needs and their performance in the juvenile justice education program, including any virtual education options.

(c) The Department of Education and the Department of Juvenile Justice shall provide oversight and guidance to school districts, education providers, and reentry personnel on how to implement effective educational transition planning and services.

~~(11)(10)~~ The district school board shall recruit and train teachers who are interested, qualified, or experienced in educating students in juvenile justice programs. Students in juvenile justice programs shall be provided a wide range of education educational programs and opportunities including textbooks, technology, instructional support, and other resources commensurate with resources provided available to students in public schools, including textbooks and access to technology. If the district school board operates a juvenile justice education program at a juvenile justice

facility, the district school board, in consultation with the director of the juvenile justice facility, shall select the instructional personnel assigned to that program. The Secretary of Juvenile Justice or the director of a juvenile justice program may request that the performance of a teacher assigned by the district to a juvenile justice education program be reviewed by the district and that the teacher be reassigned based upon an evaluation conducted pursuant to s. 1012.34 or for inappropriate behavior. ~~Teachers assigned to educational programs in juvenile justice settings in which the district school board operates the educational program shall be selected by the district school board in consultation with the director of the juvenile justice facility. Educational programs in Juvenile justice education programs facilities shall have access to the substitute teacher pool used utilized by the district school board.~~

(12)(11) District school boards may contract with a private provider for the provision of education ~~educational~~ programs to students ~~youths~~ placed with the Department of Juvenile Justice and shall generate local, state, and federal funding, including funding through the Florida Education Finance Program for such students. The district school board's planning and budgeting process shall include the needs of Department of Juvenile Justice education programs in the district school board's plan for expenditures for state categorical and federal funds.

(13)(12)(a) Funding for eligible students enrolled in juvenile justice education programs shall be provided through the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act. Funding shall include, at a minimum:

1. Weighted program funding or the basic amount for current operation multiplied by the district cost differential as provided in s. 1011.62(1)(s) and (2);

2. The supplemental allocation for juvenile justice education as provided in s. 1011.62(10);

3. A proportionate share of the district's exceptional student education guaranteed allocation, the supplemental academic instruction allocation, and the instructional materials allocation;

4. An amount equivalent to the proportionate share of the state average potential discretionary local effort for operations, which shall be determined as follows:

a. If the district levies the maximum discretionary local effort and the district's discretionary local effort per FTE is less than the state average potential discretionary local effort per FTE, the proportionate share shall include both the discretionary local effort and the compression supplement per FTE. If the district's discretionary local effort per FTE is greater than the state average per FTE, the proportionate share shall be equal to the state average; or

b. If the district does not levy the maximum discretionary local effort and the district's actual discretionary local effort per FTE is less than the state average potential discretionary local effort per FTE, the proportionate share shall be equal to the district's actual discretionary local effort per FTE. If the district's actual discretionary local effort per FTE is greater than the state average per FTE, the proportionate share shall be equal to the state average potential local effort per FTE; and

5. A proportionate share of the district's proration to funds available, if necessary.

(b) Juvenile justice education ~~educational~~ programs to receive the appropriate FEFP funding for Department of Juvenile Justice education programs shall include those operated through a contract with the Department of Juvenile Justice ~~and which are under purview of the Department of Juvenile Justice quality assurance standards for education.~~

(c) Consistent with the rules of the State Board of Education, district school boards ~~shall be required to~~ request an alternative FTE survey for Department of Juvenile Justice education programs experiencing fluctuations in student enrollment.

(d) FTE count periods shall be prescribed in rules of the State Board of Education and shall be the same for programs of the Department of Juvenile Justice as for other public school programs. The summer school period for students in Department of Juvenile Justice education programs shall begin on the day immediately following the end of the regular school year and end on

the day immediately preceding the subsequent regular school year. Students shall be funded for no more than 25 hours per week of direct instruction.

(e) Each juvenile justice education program must receive all federal funds for which the program is eligible.

(14)(13) Each district school board shall negotiate a cooperative agreement with the Department of Juvenile Justice on the delivery of educational services to students ~~youths~~ under the jurisdiction of the Department of Juvenile Justice. Such agreement must include, but is not limited to:

(a) Roles and responsibilities of each agency, including the roles and responsibilities of contract providers.

(b) Administrative issues including procedures for sharing information.

(c) Allocation of resources including maximization of local, state, and federal funding.

(d) Procedures for educational evaluation for educational exceptionalities and special needs.

(e) Curriculum and delivery of instruction.

(f) Classroom management procedures and attendance policies.

(g) Procedures for provision of qualified instructional personnel, whether supplied by the district school board or provided under contract by the provider, and for performance of duties while in a juvenile justice setting.

(h) Provisions for improving skills in teaching and working with students ~~referred to juvenile justice education programs~~ ~~delinquents~~.

(i) Transition plans for students moving into and out of juvenile justice education programs ~~facilities~~.

(j) Procedures and timelines for the timely documentation of credits earned and transfer of student records.

(k) Methods and procedures for dispute resolution.

(l) Provisions for ensuring the safety of education personnel and support for the agreed-upon education program.

(m) Strategies for correcting any deficiencies found through the accountability and evaluation system and student performance measures ~~quality assurance process~~.

(15)(14) Nothing in this section or in a cooperative agreement requires ~~shall be construed to require~~ the district school board to provide more services than can be supported by the funds generated by students in the juvenile justice programs.

(16)(15)(a) The Department of Education, in consultation with the Department of Juvenile Justice, district school boards, and providers, shall adopt rules establishing: ~~establish~~

(a) Objective and measurable student performance measures to evaluate a student's educational progress while participating in a prevention, day treatment, or residential program. The student performance measures must be based on appropriate outcomes for all students in juvenile justice education programs, taking into consideration the student's length of stay in the program. Performance measures shall include outcomes that relate to student achievement of career education goals, acquisition of employability skills, receipt of a high school diploma or its equivalent, grade advancement, and the number of CAPE industry certifications earned.

(b) A performance rating system to be used by the Department of Education to evaluate quality assurance standards for the delivery of educational services within each of the juvenile justice programs. The performance rating shall be primarily based on data regarding student performance as described in paragraph (a) component of residential and nonresidential juvenile justice facilities.

(c) The timeframes, procedures, and resources to be used to improve a low-rated educational program or to terminate or reassign the program. These standards shall rate the district school board's performance both as a provider and contractor. The quality assurance rating for the educational component shall be disaggregated from the overall quality assurance score and reported separately.

(d)(b) The Department of Education, in partnership with the Department of Juvenile Justice, shall develop a comprehensive accountability and program improvement ~~quality assurance review~~ process. The accountability and program improvement process shall be based on student performance measures by type of program and shall rate education program performance. The accountability system shall identify and recognize high-performing

education programs. The Department of Education, in partnership with the Department of Juvenile Justice, shall identify low-performing programs. Low-performing education programs shall receive an onsite program evaluation from the Department of Juvenile Justice. School improvement, technical assistance, or the reassignment of the program shall be based, in part, on the results of the program evaluation. Through a corrective action process, low-performing programs must demonstrate improvement or reassign the program and schedule for the evaluation of the educational component in juvenile justice programs. The Department of Juvenile Justice quality assurance site visit and the education quality assurance site visit shall be conducted during the same visit.

(e) The Department of Education, in consultation with district school boards and providers, shall establish minimum thresholds for the standards and key indicators for educational programs in juvenile justice facilities. If a district school board fails to meet the established minimum standards, it will be given 6 months to achieve compliance with the standards. If after 6 months, the district school board's performance is still below minimum standards, the Department of Education shall exercise sanctions as prescribed by rules adopted by the State Board of Education. If a provider, under contract with the district school board, fails to meet minimum standards, such failure shall cause the district school board to cancel the provider's contract unless the provider achieves compliance within 6 months or unless there are documented extenuating circumstances.

(d) The requirements in paragraphs (a), (b), and (c) shall be implemented to the extent that funds are available.

(17) The department, in collaboration with the Department of Juvenile Justice, shall collect data and report on commitment, day treatment, prevention, and detention programs. The report shall be submitted to the President of the Senate, the Speaker of the House of Representatives, and the Governor by February 1 of each year. The report must include, at a minimum:

(a) The number and percentage of students who:

1. Return to an alternative school, middle school, or high school upon release and the attendance rate of such students before and after participation in juvenile justice education programs.

2. Receive a standard high school diploma or a high school equivalency diploma.

3. Receive industry certification.

4. Enroll in a postsecondary educational institution.

5. Complete a juvenile justice education program without reoffending.

6. Reoffend within 1 year after completion of a day treatment or residential commitment program.

7. Remain employed 1 year after completion of a day treatment or residential commitment program.

8. Demonstrate learning gains pursuant to paragraph (3)(b).

(b) The following cost data for each juvenile justice education program:

1. The amount of funding provided by district school boards to juvenile justice programs and the amount retained for administration, including documenting the purposes of such expenses.

2. The status of the development of cooperative agreements.

3. Recommendations for system improvement.

4. Information on the identification of, and services provided to, exceptional students, to determine whether these students are properly reported for funding and are appropriately served.

(18)(16) The district school board shall not be charged any rent, maintenance, utilities, or overhead on such facilities. Maintenance, repairs, and remodeling of existing facilities shall be provided by the Department of Juvenile Justice.

(19)(17) When additional facilities are required, the district school board and the Department of Juvenile Justice shall agree on the appropriate site based on the instructional needs of the students. When the most appropriate site for instruction is on district school board property, a special capital outlay request shall be made by the commissioner in accordance with s. 1013.60. When the most appropriate site is on state property, state capital outlay funds shall be requested by the Department of Juvenile Justice provided by s. 216.043 and shall be submitted as specified by s. 216.023. Any instructional facility to be built on state property shall have educational specifications jointly developed by the district school board and the Department of Juvenile

Justice and approved by the Department of Education. The size of space and occupant design capacity criteria as provided by State Board of Education rules shall be used for remodeling or new construction whether facilities are provided on state property or district school board property.

(20)(18) The parent of an exceptional student shall have the due process rights provided for in this chapter.

(19) The Department of Education and the Department of Juvenile Justice, after consultation with and assistance from local providers and district school boards, shall report annually to the Legislature by February 1 on the progress toward developing effective educational programs for juvenile delinquents, including the amount of funding provided by district school boards to juvenile justice programs, the amount retained for administration including documenting the purposes for such expenses, the status of the development of cooperative agreements, the results of the quality assurance reviews including recommendations for system improvement, and information on the identification of, and services provided to, exceptional students in juvenile justice commitment facilities to determine whether these students are properly reported for funding and are appropriately served.

(21)(20) The education educational programs at the Arthur Dozier School for Boys in Jackson County and the Florida School for Boys in Okeechobee shall be operated by the Department of Education, either directly or through grants or contractual agreements with other public or duly accredited education agencies approved by the Department of Education.

(22)(21) The State Board of Education shall ~~may~~ adopt ~~any~~ rules necessary to implement the provisions of this section, including uniform curriculum, funding, and second chance schools. Such rules must require the minimum amount of paperwork and reporting.

(23)(22) The Department of Juvenile Justice and the Department of Education, in consultation with Workforce Florida, Inc., the statewide Workforce Development Youth Council, district school boards, Florida College System institutions, providers, and others, shall jointly develop a multiagency plan for CAPE career education which describes the funding, curriculum, transfer of credits, goals, and outcome measures for career education programming in juvenile commitment facilities, pursuant to s. 985.622. The plan must be reviewed annually.

Section 23. Paragraph (b) of subsection (18) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—Maintain a state system of school improvement and education accountability as provided by statute and State Board of Education rule. This system of school improvement and education accountability shall be consistent with, and implemented through, the district's continuing system of planning and budgeting required by this section and ss. 1008.385, 1010.01, and 1011.01. This system of school improvement and education accountability shall comply with the provisions of ss. 1008.33, 1008.34, 1008.345, and 1008.385 and include the following:

(b) Public disclosure.—The district school board shall provide information regarding the performance of students and educational programs as required pursuant to ss. 1008.22 and 1008.385 and implement a system of school reports as required by statute and State Board of Education rule which shall include schools operating for the purpose of providing educational services to students youth in Department of Juvenile Justice programs, and for those schools, report on the elements specified in s. 1003.52(16) ~~1003.52(19)~~. Annual public disclosure reports shall be in an easy-to-read report card format and shall include the school's grade, high school graduation rate calculated without high school equivalency examinations ~~GED tests~~, disaggregated by student ethnicity, and performance data as specified in state board rule.

Section 24. Subsection (4) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(4) ONLINE COURSE REQUIREMENT.—~~Excluding a driver education course,~~ At least one course within the 24 credits required under this section must be completed through online learning. A school district may not require

a student to take the online course outside the school day or in addition to a student's courses for a given semester. An online course taken in grade 6, grade 7, or grade 8 fulfills this requirement. This requirement is met through an online course offered by the Florida Virtual School, a virtual education provider approved by the State Board of Education, a high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets this requirement. This requirement does not apply to a student who has an individual education plan under s. 1003.57 which indicates that an online course would be inappropriate or to an out-of-state transfer student who is enrolled in a Florida high school and has 1 academic year or less remaining in high school.

Section 25. If this act and CS/HB 7031, 2014 Regular Session, or similar legislation are adopted in the same legislative session or an extension thereof and become law, and the respective provisions of such acts amending s. 1003.4282(4), Florida Statutes, differ, it is the intent of the Legislature that the amendments made by this act to s. 1003.4282(4), Florida Statutes, shall control over the language of CS/HB 7031, or similar legislation, regardless of the order in which they are enacted.

Section 26. Section 1003.4995, Florida Statutes, is created to read:

1003.4995 Fine arts report.—The Commissioner of Education shall prepare an annual report that includes a description, based on annual reporting by schools, of student access to and participation in fine arts courses, which are visual arts, music, dance, and theatre courses; the number and certification status of educators providing instruction in the courses; educational facilities designed and classroom space equipped for fine arts instruction; and the manner in which schools are providing the core curricular content for fine arts established in the Next Generation Sunshine State Standards. The report shall be posted on the Department of Education's website and updated annually.

Section 27. This act shall take effect July 1, 2014.

TITLE AMENDMENT

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to education; amending s. 1001.42, F.S.; requiring a school that includes middle grades to include information, data, and instructional strategies in its school improvement plan; requiring a school that includes middle grades to implement an early warning system based on indicators to identify students in need of additional academic support; amending s. 1003.02, F.S.; requiring a district school board to notify parents of return on investment relating to industry certifications; amending s. 1003.42, F.S.; providing State Board of Education duties relating to middle grades courses; amending s. 1003.4203, F.S.; providing for career and professional education (CAPE) digital materials, digital tool certificates, career innovation courses, and academic acceleration industry certifications; deleting provisions relating to certain recognition of digital skills; amending s. 1003.4282, F.S.; providing that certain courses meet high school graduation credit requirements in science; amending s. 1003.4285, F.S.; revising requirements for scholar and merit high school diploma designations; amending s. 1003.491, F.S.; providing components of career and professional education; amending s. 1003.492, F.S.; requiring return-on-investment information for career education; amending s. 1003.4935, F.S.; authorizing additional FTE funding for certain industry certifications; amending s. 1003.53, F.S.; authorizing dropout prevention and academic intervention services for a student identified by a school's early warning system; amending s. 1006.135, F.S.; including middle grades schools under provisions prohibiting hazing; revising the definition of the term "hazing"; requiring a school district policy that prohibits hazing and establishes consequences for an act of hazing; revising penalty provisions and providing for applicability; amending s. 1007.271, F.S.; requiring dual enrollment articulation agreements to include requirements for a collegiate high school program; providing for enforcement of compliance relating to agreements; creating s. 1007.273, F.S.; establishing the Collegiate High School Program; requiring each Florida College System institution to offer a collegiate high school program and specifying requirements for the program; amending s. 1008.345, F.S.; correcting a cross-

reference; amending s. 1008.44, F.S.; authorizing the Commissioner of Education to add specified certifications and certificates to the Industry Certification Funding List; authorizing Workforce Florida, Inc., to add industry certifications; amending s. 1011.62, F.S.; establishing weighted funding for students earning certain industry certifications and certificates; providing a bonus for teachers providing instruction leading to certain industry certification; deleting obsolete provisions; revising calculation of weighted funding for students who graduate early; deleting provisions relating to recognition of digital skills; amending s. 1012.98, F.S.; providing requirements relating to professional development, including inservice plans and instructional strategies, for middle grades educators; requiring the Department of Education to disseminate professional development in the use of integrated digital instruction; creating s. 768.072, F.S.; authorizing district school boards to enter into joint-use agreements or adopt public access policies; providing immunity from liability for a district school board that enters into a joint-use agreement or adopts public access policies except in instances of gross negligence or intentional misconduct; providing applicability; amending s. 985.622, F.S.; revising requirements for the multiagency education plan for students in juvenile justice education programs; including virtual education as an option; amending s. 1001.31, F.S.; authorizing instructional personnel at all juvenile justice facilities to access specific student records at the district; amending s. 1003.51, F.S.; revising terminology; revising requirements for rules to be maintained by the State Board of Education; providing expectations for effective education programs for students in Department of Juvenile Justice programs; revising requirements for contract and cooperative agreements for the delivery of appropriate education services to students in Department of Juvenile Justice programs; requiring the Department of Education to ensure that juvenile justice students who are eligible have access to high school equivalency testing and assist juvenile justice education programs with becoming high school equivalency testing centers; revising requirements for an accountability system for all juvenile justice education programs; revising requirements for district school boards; amending s. 1003.52, F.S.; revising requirements for activities to be coordinated by the coordinators for juvenile justice education programs; authorizing contracting for educational assessments; revising requirements for assessments; authorizing access to local virtual education courses; requiring that an education program shall be based on each student's transition plan and assessed educational needs; providing requirements for prevention and day treatment juvenile justice education programs; requiring progress monitoring plans for all students not classified as exceptional student education students; revising requirements for such plans; requiring the Department of Education, in partnership with the Department of Juvenile Justice, to ensure that school districts and juvenile justice education providers develop individualized transition plans; providing requirements for such plans; authorizing the Secretary of Juvenile Justice or the director of a juvenile justice program to request that a school district teacher's performance be reviewed by the district and that the teacher be reassigned in certain circumstances; requiring the Department of Education to establish by rule objective and measurable student performance measures and program performance ratings; providing requirements for such ratings; requiring a comprehensive accountability and program improvement process; providing requirements for such a process; deleting provisions for minimum thresholds for the standards and key indicators for education programs in juvenile justice facilities; revising data collection and annual report requirements; deleting provisions concerning the Arthur Dozier School for Boys; requiring rulemaking; amending s. 1001.42, F.S.; revising terminology; revising a cross-reference; amending s. 1003.4282, F.S.; revising provisions relating to the online course requirement for a standard high school diploma; providing construction with respect to the passage of similar legislation; creating s. 1003.4995, F.S.; requiring the Commissioner of Education to prepare an annual report relating to student access to and participation in fine arts courses and information on educators, facilities, and instruction in such courses; providing an effective date.

Rep. O'Toole moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 7033—A bill to be entitled An act relating to education; amending s. 1001.42, F.S.; requiring a school that includes middle grades to include information, data, and instructional strategies in its school improvement plan; requiring a school that includes middle grades to implement an early warning system based on indicators to identify students in need of additional academic support; amending s. 1003.02, F.S.; requiring a district school board to notify parents of return on investment relating to industry certifications; amending s. 1003.42, F.S.; providing State Board of Education duties relating to middle grades courses; amending s. 1003.4203, F.S.; providing for career and professional education (CAPE) digital materials and digital tool certificates; deleting provisions relating to certain recognition of digital skills; amending s. 1003.4282, F.S.; providing that certain courses meet high school graduation credit requirements in science; amending s. 1003.4285, F.S.; revising requirements for scholar and merit high school diploma designations; amending s. 1003.492, F.S.; requiring return-on-investment information for career education; amending s. 1003.4935, F.S.; authorizing additional FTE funding for certain industry certifications; amending s. 1003.53, F.S.; authorizing dropout prevention and academic intervention services for a student identified by a school's early warning system; amending s. 1006.135, F.S.; including middle grades schools under provisions prohibiting hazing; revising the definition of the term "hazing"; requiring a school district policy that prohibits hazing and establishes consequences for an act of hazing; revising penalty provisions and providing for applicability; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to review and recommend articulation agreement proposals for industry certifications; creating s. 1007.273, F.S.; establishing the Collegiate High School Program; requiring each Florida College System institution to offer a collegiate high school program and specifying requirements for the program; amending s. 1008.44, F.S.; authorizing the Commissioner of Education to add specified certifications and certificates to the Industry Certification Funding List; authorizing the Commissioner of Agriculture and Workforce Florida, Inc., to add industry certifications; amending s. 1011.62, F.S.; establishing weighted funding for students earning certain industry certifications and certificates; providing a bonus for teachers providing industry certification instruction; deleting obsolete provisions; revising calculation of weighted funding for students who graduate early; deleting provisions relating to recognition of digital skills; amending s. 1012.98, F.S.; providing requirements relating to professional development, including inservice plans and instructional strategies, for middle grades educators; requiring the Department of Education to disseminate professional development in the use of integrated digital instruction; providing an effective date.

On motion by Rep. Adkins, the bill was laid on the table.

CS for CS for SB 1524—A bill to be entitled An act relating to security of confidential personal information; providing a short title; repealing s. 817.5681, F.S., relating to a breach of security concerning confidential personal information in third-party possession; creating s. 501.171, F.S.; providing definitions; requiring specified entities to take reasonable measures to protect and secure data containing personal information in electronic form; requiring specified entities to notify the Department of Legal Affairs of data security breaches; requiring notice to individuals of data security breaches under certain circumstances; providing exceptions to notice requirements under certain circumstances; specifying contents and methods of notice; requiring notice to credit reporting agencies under certain circumstances; requiring the department to report annually to the Legislature; specifying report requirements; providing requirements for disposal of customer records; providing for enforcement actions by the department; providing civil penalties; specifying that no private cause of action is created; amending ss. 282.0041 and 282.318, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was read the second time by title.

On motion by Rep. Metz, the House agreed to substitute CS for CS for SB 1524 for CS/HB 7085. Under rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for SB 1526—A bill to be entitled An act relating to public records; amending s. 501.171, F.S.; creating an exemption from public records requirements for information received by the Department of Legal Affairs pursuant to a notice of a data breach or pursuant to certain investigations; authorizing disclosure under certain circumstances; defining the term "proprietary information"; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

On motion by Rep. Metz, the House agreed to substitute CS for CS for SB 1526 for CS/CS/HB 7087. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for SB 450—A bill to be entitled An act relating to telephone solicitation; reordering and amending s. 501.059, F.S.; redefining the term "telephonic sales call"; prohibiting a telephone solicitor from transmitting certain text messages to a consumer if the consumer is on the "no sales solicitation calls" list maintained by the Department of Agriculture and Consumer Services or if the consumer has previously communicated such a request to the telephone solicitor; providing appropriations and authorizing positions; providing an effective date.

—was read the second time by title.

On motion by Rep. Cruz, the House agreed to substitute CS for CS for SB 450 for CS/CS/HB 1191. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

SB 1676—A bill to be entitled An act relating to the Internal Revenue Code; amending s. 220.03, F.S.; adopting the 2014 version of the code; providing an effective date.

—was read the second time by title.

On motion by Rep. Beshears, the House agreed to substitute SB 1676 for HB 7153. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

SB 1664—A bill to be entitled An act relating to arbitration; amending s. 682.014, F.S.; correcting the description of a cross-reference; providing for retroactive application; providing an effective date.

—was read the second time by title.

On motion by Rep. Passidomo, the House agreed to substitute SB 1664 for HB 7161. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for SB 440—A bill to be entitled An act relating to condominiums; amending s. 718.112, F.S.; limiting the application of certain requirements relating to bylaws to residential condominiums and their associations and boards; amending s. 718.113, F.S.; limiting the application of certain requirements relating to the maintenance of residential condominiums and their associations and boards; amending s. 718.1255, F.S.; exempting nonresidential condominiums from mandatory arbitration unless specifically provided for in their declarations; amending s. 718.403, F.S., and reenacting subsection (1), relating to the authority to develop a

condominium in phases; authorizing the developer to modify the plot plan as to unit or building types; limiting the circumstances under which a plot plan may be modified as to a residential condominium; specifying the provisions relating to phase condominiums that are inapplicable to nonresidential condominiums; amending s. 718.707, F.S.; extending by 1 year the time limitation for classification as a bulk assignee or bulk buyer; providing an effective date.

—was read the second time by title.

On motion by Rep. J. Rodriguez, the House agreed to substitute CS for CS for SB 440 for CS/CS/HB 425. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for SB 674—A bill to be entitled An act relating to background screening; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to share reproductions of driver license images with the Department of Health and the Agency for Health Care Administration for specified purposes; amending s. 402.301, F.S.; revising provisions relating to the exemption of certain membership organizations affiliated with national organizations from certain child care facility licensing requirements; amending s. 408.806, F.S.; revising the requirements for health care licensure; revising a provision requiring an affidavit; amending s. 408.809, F.S.; exempting a person whose fingerprints are already enrolled in a specified Federal Bureau of Investigation program from the requirement that such fingerprints be forwarded to the bureau; requiring certain persons to submit their fingerprints electronically; requiring the Department of Law Enforcement to retain fingerprints when the department begins participation in a certain program; revising requirements for proof of compliance with level 2 screening standards; revising terminology; adding additional disqualifying offenses to background screening requirements; adding an exemption clause from disqualification for new offenses; amending s. 413.208, F.S.; providing applicability for background screening requirements for certain registrants; repealing s. 7 of chapter 2012-73, Laws of Florida, relating to background screening requirements; amending s. 435.04, F.S.; revising information required for vendors submitting employee fingerprints; adding an additional disqualifying offense to background screening requirements; amending s. 435.05, F.S.; revising a provision requiring the annual submission of an affidavit; amending s. 435.07, F.S.; revising criteria for an exemption from disqualification for an employee under certain conditions; amending s. 435.12, F.S.; requiring the fingerprints of an employee required to be screened by a specified agency and included in the clearinghouse also to be retained in the national retained print arrest notification program at a specified time; requiring simultaneous submission of a photographic image and electronic fingerprints to the Care Provider Background Screening Clearinghouse; requiring an employer to follow certain criminal history check procedures and include specified information regarding referral and registration of an employee for electronic fingerprinting with the clearinghouse; providing an effective date.

—was read the second time by title.

On motion by Rep. Reed, the House agreed to substitute CS for CS for SB 674 for CS/HB 463. Under Rule 5.13, the House bill was laid on the table.

Representative Brodeur offered the following:

(Amendment Bar Code: 288775)

Amendment 1 (with title amendment)—Remove lines 114-136

TITLE AMENDMENT

Remove lines 7-11 and insert:
specified purposes; amending s. 408.806,

Rep. Brodeur moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for SB 1036—A bill to be entitled An act relating to nursing education programs; amending s. 464.003, F.S.; revising definitions; amending s. 464.008, F.S.; requiring certain applicants for licensure to take a preparatory course; amending ss. 464.015 and 464.022, F.S.; conforming cross-references; amending s. 464.013, F.S.; exempting nurses who are certified by an accredited program from continuing education requirements; amending s. 464.019, F.S.; specifying the location of clinical training; revising the limitation on the percentage of clinical training that consists of clinical simulation; deleting obsolete requirements; providing for the recalculation of pass rates when students have been transferred from a terminated program; authorizing the Board of Nursing to adopt certain rules relating to documenting the accreditation of nursing education programs; deleting the requirement that the Office of Program Policy Analysis and Government Accountability participate in an implementation study and revising the terms of the study; requiring nursing education programs that prepare students for the practice of professional nursing to be accredited; providing an exception; amending s. 456.014, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

On motion by Rep. Pigman, the House agreed to substitute CS for CS for SB 1036 for CS/CS/CS/HB 1059. Under Rule 5.13, the House bill was laid on the table.

Representative Pigman offered the following:

(Amendment Bar Code: 788685)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsections (10), (19), and (23) of section 464.003, Florida Statutes, are amended to read:

464.003 Definitions.—As used in this part, the term:

(10) "Clinical training" means direct nursing care experiences with patients or clients, or clinical simulation of such experiences, which offer the student the opportunity to integrate, apply, and refine specific skills and abilities based on theoretical concepts and scientific principles.

(19) "Practice of practical nursing" means the performance of selected acts, including the administration of treatments and medications, in the care of the ill, injured, or infirm; ~~and~~ the promotion of wellness, maintenance of health, and prevention of illness of others under the direction of a registered nurse, a licensed physician, a licensed osteopathic physician, a licensed podiatric physician, or a licensed dentist; and the teaching of general principles of health and wellness to the public and to students other than nursing students. A practical nurse is responsible and accountable for making decisions that are based upon the individual's educational preparation and experience in nursing.

(23) "Required passage rate" means the graduate passage rate required for an approved program pursuant to s. ~~464.019(5)(a)~~ 464.019(6)(a)1.

Section 2. Subsection (4) is added to section 464.008, Florida Statutes, to read:

464.008 Licensure by examination.—

(4) If an applicant who graduates from an approved program does not take the licensure examination within 6 months after graduation, he or she must enroll in and successfully complete a board-approved licensure examination preparatory course. The applicant is responsible for all costs associated with the course and may not use state or federal financial aid for such costs. The board shall by rule establish guidelines for licensure examination preparatory courses.

Section 3. Subsection (3) of section 464.013, Florida Statutes, is amended to read:

464.013 Renewal of license or certificate.—

(3) The board shall by rule prescribe up to 30 hours of continuing education ~~not to exceed 30 hours~~ biennially as a condition for renewal of a license or certificate. A nurse who is certified by a health care specialty program accredited by the National Commission for Certifying Agencies or the Accreditation Board for Specialty Nursing Certification is exempt from continuing education requirements. The criteria for programs shall be approved by the board.

Section 4. Section 464.019, Florida Statutes, is amended to read:

464.019 Approval of nursing education programs.—

(1) ~~PROGRAM APPLICATION APPLICATIONS.~~—An educational institution that wishes to conduct a program in this state for the prelicensure education of professional or practical nurses must submit to the department a program application and review fee of \$1,000 for each prelicensure nursing education program to be offered at the institution's main campus, branch campus, or other instructional site. ~~The Each~~ program application must include the legal name of the educational institution, the legal name of the nursing education program, and, if such institution program is accredited ~~by an accrediting agency other than an accrediting agency described in s. 464.003(1),~~ the name of the accrediting agency. The application must also document that:

(a)1. For a professional nursing education program, the program director and at least 50 percent of the program's faculty members are registered nurses who have a master's or higher degree in nursing or a bachelor's degree in nursing and a master's or higher degree in a field related to nursing.

2. For a practical nursing education program, the program director and at least 50 percent of the program's faculty members are registered nurses who have a bachelor's or higher degree in nursing.

The educational degree requirements of this paragraph may be documented by an official transcript or by a written statement from the educational institution verifying that the institution conferred the degree.

(b) The program's nursing major curriculum consists of at least:

1. Fifty percent clinical training in the United States, the District of Columbia, or a possession or territory of the United States for a practical nursing education program, an associate degree professional nursing education program, or a professional diploma nursing education program.

2. Forty percent clinical training in the United States, the District of Columbia, or a possession or territory of the United States for a bachelor's degree professional nursing education program.

(c) No more than 50 ~~25~~ percent of the program's clinical training consists of clinical simulation.

(d) The program has signed agreements with each agency, facility, and organization included in the curriculum plan as clinical training sites and community-based clinical experience sites.

(e) The program has written policies for faculty which include provisions for direct or indirect supervision by program faculty or clinical preceptors for students in clinical training consistent with the following standards:

1. The number of program faculty members equals at least one faculty member directly supervising every 12 students unless the written agreement between the program and the agency, facility, or organization providing clinical training sites allows more students, not to exceed 18 students, to be directly supervised by one program faculty member.

2. For a hospital setting, indirect supervision may occur only if there is direct supervision by an assigned clinical preceptor, a supervising program faculty member is available by telephone, and such arrangement is approved by the clinical facility.

3. For community-based clinical experiences that involve student participation in invasive or complex nursing activities, students must be directly supervised by a program faculty member or clinical preceptor and such arrangement must be approved by the community-based clinical facility.

4. For community-based clinical experiences not subject to subparagraph 3., indirect supervision may occur only when a supervising program faculty member is available to the student by telephone.

A program's policies established under this paragraph must require that a clinical preceptor ~~who is,~~ if supervising students in a professional nursing education program, ~~to~~ be a registered nurse or, if supervising students in a

practical nursing education program, ~~to~~ be a registered nurse or licensed practical nurse.

(f) The professional or practical nursing curriculum plan documents clinical experience and theoretical instruction in medical, surgical, obstetric, pediatric, and geriatric nursing. A professional nursing curriculum plan shall also document clinical experience and theoretical instruction in psychiatric nursing. Each curriculum plan must document clinical training experience in appropriate settings that include, but are not limited to, acute care, long-term care, and community settings.

(g) The professional or practical nursing education program provides theoretical instruction and clinical application in personal, family, and community health concepts; nutrition; human growth and development throughout the life span; body structure and function; interpersonal relationship skills; mental health concepts; pharmacology and administration of medications; and legal aspects of practice. A professional nursing education program must ~~shall~~ also provide theoretical instruction and clinical application in interpersonal relationships and leadership skills; professional role and function; and health teaching and counseling skills.

(2) PROGRAM APPROVAL.—

(a) Upon receipt of a program application and review fee, the department shall examine the application to determine ~~if whether~~ it is complete. ~~If the a~~ ~~program~~ application is not complete, the department shall notify the educational institution in writing of any errors or omissions within 30 days after the department's receipt of the application. A program application is deemed complete upon the department's receipt of:

1. The initial application, if the department does not notify the educational institution of any errors or omissions within the 30-day period; or

2. A revised application that corrects each error and omission of which the department notifies the educational institution within the 30-day period.

(b) Within 90 days after the department's receipt of a complete program application, the board shall:

1. Approve the application if it documents compliance with subsection (1) paragraphs (1)(a)-(g); or

2. Provide the educational institution with a notice of intent to deny the application if it does not document compliance with subsection (1) paragraphs (1)(a)-(g). The notice must ~~specify set forth~~ written reasons for the board's denial of the application. The board may not deny a program application because of an educational institution's failure to correct ~~an any~~ error or omission ~~that of which~~ the department failed to provide notice of to ~~does not~~ ~~notify~~ the institution within the 30-day notice period under paragraph (a). The educational institution may request a hearing on the notice of intent to deny the program application pursuant to chapter 120.

(c) A program application is deemed approved if the board does not act within the 90-day review period provided under paragraph (b).

(d) Upon the board's approval of a program application, the program becomes an approved program.

~~(3) STATUS OF CERTAIN PROGRAMS.—A professional or practical nursing education program becomes an approved program if, as of June 30, 2009, the program:~~

~~(a) Has full or provisional approval from the board or, except as provided in paragraph (b), is on probationary status;~~

~~(b) Is on probationary status because the program did not meet the board's requirement for graduate passage rates. Such program shall remain on probationary status until it achieves a graduate passage rate for calendar year 2009 or 2010 that equals or exceeds the required passage rate for the respective calendar year and must disclose its probationary status in writing to the program's students and applicants. If the program does not achieve the required passage rate, the board shall terminate the program pursuant to chapter 120.~~

~~(3)(4) ANNUAL REPORT.—By November 1 of each year, each approved program shall submit to the board an annual report comprised of an affidavit certifying continued compliance with subsection (1) paragraphs (1)(a)-(g), a summary description of the program's compliance with subsection (1) paragraphs (1)(a)-(g), and documentation for the previous academic year that, to the extent applicable, describes sets forth:~~

(a) The number of student applications received, qualified applicants, applicants accepted, accepted applicants who enroll in the program, students enrolled in the program, and program graduates.

(b) The program's retention rates for students tracked from program entry to graduation.

(c) The program's accreditation status, including identification of the accrediting agency ~~if such agency is not an accrediting agency described in s. 464.003(1).~~

~~(4)(5)~~ INTERNET WEBSITE.—~~By October 1, 2010,~~ The board shall publish the following information on its Internet website:

(a) A list of each accredited program conducted in the state and the program's graduate passage rates for the most recent 2 calendar years, which the department shall determine through the following sources:

1. For a program's accreditation status, the specialized accrediting agencies that are nationally recognized by the United States Secretary of Education to accredit nursing education programs.

2. For a program's graduate passage rates, the contract testing service of the National Council of State Boards of Nursing.

(b) The following data for each approved program, which includes ~~shall include~~, to the extent applicable:

1. All documentation provided by the program in its program application if submitted on or after July 1, 2009.

2. The summary description of the program's compliance submitted under subsection (3) ~~(4)~~.

3. The program's accreditation status, including identification of the accrediting agency ~~if such agency is not an accrediting agency described in s. 464.003(1).~~

4. The program's probationary status.

5. The program's graduate passage rates for the most recent 2 calendar years.

6. Each program's retention rates for students tracked from program entry to graduation.

(c) The average passage rates for United States educated first-time test takers on the National Council of State Boards of Nursing Licensing Examination for the most recent 2 calendar years, as calculated by the contract testing service of the National Council of State Boards of Nursing. The average passage rates shall be published separately for each type of comparable degree program listed in subparagraph (5)(a)1. ~~subparagraphs (6)(a)1.a.-d.~~

The information required to be published under this subsection shall be made available in a manner that allows interactive searches and comparisons of individual programs selected by the website user. The board shall update the Internet website at least quarterly with the available information.

~~(5)(6)~~ ACCOUNTABILITY.—

(a)1. An approved program must achieve a graduate passage rate for first-time test takers who take the licensure examination within 6 months after graduation from the program that is not more lower than 10 percentage points lower less than the average passage rate during the same calendar year for graduates of comparable degree programs who are United States educated, first-time test takers on the National Council of State Boards of Nursing Licensing Examination ~~during a calendar year~~, as calculated by the contract testing service of the National Council of State Boards of Nursing. An approved program shall require a graduate from the program who does not take the licensure examination within 6 months after graduation to enroll in and successfully complete a licensure examination preparatory course pursuant to s. 464.008. For purposes of this subparagraph, an approved program is comparable to all degree programs of the same program type from among the following program types:

a. Professional nursing education programs that terminate in a bachelor's degree.

b. Professional nursing education programs that terminate in an associate degree.

c. Professional nursing education programs that terminate in a diploma.

d. Practical nursing education programs.

2. Beginning with graduate passage rates for calendar year 2010, if an approved program's graduate passage rates do not equal or exceed the

required passage rates for 2 consecutive calendar years, the board shall place the program on probationary status pursuant to chapter 120 and the program director ~~shall must~~ appear before the board to present a plan for remediation, which shall include specific benchmarks to identify progress toward a graduate passage rate goal. The program must shall remain on probationary status until it achieves a graduate passage rate that equals or exceeds the required passage rate for any 1 calendar year. The board shall deny a program application for a new precicensure nursing education program submitted by an educational institution if the institution has an existing program that is already on probationary status.

3. Upon the program's achievement of a graduate passage rate that equals or exceeds the required passage rate, the board, at its next regularly scheduled meeting following release of the program's graduate passage rate by the National Council of State Boards of Nursing, shall remove the program's probationary status. ~~However,~~ If the program, during the 2 calendar years following its placement on probationary status, does not achieve the required passage rate for any 1 calendar year, the board shall terminate the program pursuant to chapter 120. However, the board may extend the program's probationary status for 1 additional year if the program demonstrates adequate progress toward the graduate passage rate goal by meeting a majority of the benchmarks established in the remediation plan.

(b) If an approved program fails to submit the annual report required in subsection (3) ~~(4)~~, the board shall notify the program director and president or chief executive officer of the educational institution in writing within 15 days after the due date of the annual report. The program director ~~shall must~~ appear before the board at the board's next regularly scheduled meeting to explain the reason for the delay. The board shall terminate the program pursuant to chapter 120 if it does not submit the annual report within 6 months after the due date.

(c) An approved program on probationary status shall disclose its probationary status in writing to the program's students and applicants.

(d) If students from a program that is terminated pursuant to this subsection transfer to an approved or an accredited program under the direction of the Commission for Independent Education, the board shall recalculate the passage rates of the programs receiving the transferring students, excluding the test scores of those students transferring more than 12 credits.

~~(6)(7)~~ DISCLOSURE OF GRADUATE PASSAGE RATE DATA.—

(a) For each graduate of the program ~~an approved program's or accredited program's graduates~~ included in the calculation of the program's graduate passage rate, the department shall disclose to the program director, upon his or her written request, the name, examination date, and determination of whether each graduate passed or failed the National Council of ~~for~~ State Boards of Nursing Licensing Examination, ~~if to the extent that~~ such information is provided to the department by the contract testing service of the National Council of ~~for~~ State Boards of Nursing. The written request must specify the calendar years for which the information is requested.

(b) A program director to whom confidential information exempt from public disclosure pursuant to s. 456.014 is disclosed under this subsection must maintain the confidentiality of the information and is subject to the same penalties provided in s. 456.082 for department employees who unlawfully disclose confidential information.

~~(7)(8)~~ PROGRAM CLOSURE.—

(a) An educational institution conducting an approved program or accredited program in this state, at least 30 days before voluntarily closing the program, shall notify the board in writing of the institution's reason for closing the program, the intended closure date, the institution's plan to provide for or assist in the completion of training by the program's students, and the arrangements for storage of the program's permanent records.

(b) An educational institution conducting a nursing education program that is terminated under subsection (5) ~~(6)~~ or closed under subparagraph (9)(b)3. ~~(10)(b)3.~~:

1. May not accept or enroll new students.

2. Shall Must submit to the board within 30 days after the program is terminated or closed a written description of how the institution will assist in completing the completion of training of by the program's students and the institution's arrangements for storage of the program's permanent records.

(c) If an educational institution does not comply with paragraph (a) or paragraph (b), the board shall provide a written notice explaining the institution's noncompliance to the following persons and entities:

1. The president or chief executive officer of the educational institution.
2. The Board of Governors, if the program is conducted by a state university.
3. The district school board, if the program is conducted by an educational institution operated by a school district.
4. The Commission for Independent Education, if the program is conducted by an educational institution licensed under chapter 1005.
5. The State Board of Education, if the program is conducted by an educational institution in the Florida College System or by an educational institution that is not subject to subparagraphs 2.-4.

~~(8)(9)~~ RULEMAKING.—The board does not have ~~any~~ rulemaking authority to administer this section, except that the board shall adopt ~~rules~~ ~~a rule~~ that ~~prescribe~~ ~~prescribes~~ the format for submitting program applications under subsection (1) and annual reports under subsection (3), and to administer the documentation of the accreditation of nursing education ~~programs under subsection (11) (4)~~. The board may not impose any condition or requirement on an educational institution submitting a program application, an approved program, or an accredited program, except as expressly provided in this section. ~~The board shall repeal all rules, or portions thereof, in existence on July 1, 2009, that are inconsistent with this subsection.~~

~~(9)(4)~~ APPLICABILITY TO ACCREDITED PROGRAMS.—

(a) Subsections ~~(1)-(3) (4)~~, paragraph ~~(4)(b) (5)(b)~~, and subsection ~~(5) (6)~~ do not apply to an accredited program. ~~An accredited program on probationary status before July 1, 2010, ceases to be subject to the probationary status.~~

(b) If an accredited program ceases to be accredited, the educational institution conducting the program:

1. Within 10 business days after the program ceases to be accredited, must provide written notice of the date that the program ceased to be accredited to the board, the program's students and applicants, and each entity providing clinical training sites or community-based clinical experience sites for the program. The educational institution must continue to provide the written notice to new students, applicants, and entities providing clinical training sites or community-based clinical experience sites for the program until the program becomes an approved program or is closed under subparagraph 3.

2. Within 30 days after the program ceases to be accredited, must submit an affidavit to the board, signed by the educational institution's president or chief executive officer ~~which, that~~ certifies the institution's compliance with subparagraph 1. The board shall notify the persons and applicable entities listed in ~~paragraph (7)(c) subparagraph (8)(c)1. and the applicable entities listed in subparagraphs (8)(c)2.-5.~~ if an educational institution does not submit the affidavit required by this subparagraph.

3. May apply to become an approved program under this section. If the educational institution:

- a. Within 30 days after the program ceases to be accredited, submits a program application and review fee to the department under subsection (1) and the affidavit required under subparagraph 2., the program shall be deemed an approved program from the date that the program ceased to be accredited until the date that the board approves or denies the program application. The program application must be denied by the board pursuant to chapter 120 if it does not contain the affidavit. If the board denies the program application under subsection (2) or ~~if because~~ the program application does not contain the affidavit, the program shall be closed and the educational institution conducting the program must comply with paragraph ~~(7)(b) (8)(b)~~.

- b. Does not apply to become an approved program pursuant to subparagraph a., the program shall be deemed an approved program from the date ~~that~~ the program ceased to be accredited until the 31st day after that date. On the 31st day after the program ceased to be accredited, the program shall be closed and the educational institution conducting the program must comply with paragraph ~~(7)(b) (8)(b)~~.

~~(10)(11)~~ IMPLEMENTATION STUDY.—The Florida Center for Nursing and the education policy area of the Office of Program Policy Analysis and Government Accountability shall study the ~~5-year~~ administration of this

section and submit reports to the Governor, the President of the Senate, and the Speaker of the House of Representatives ~~annually~~ by January 30, ~~2011, and annually thereafter~~ through January 30, ~~2020~~ ~~2015~~. The annual reports shall address the previous academic year; ~~provide set forth~~ data on the measures specified in paragraphs (a) and (b), as such data becomes available; and include an evaluation of such data for purposes of determining whether this section is increasing the availability of nursing education programs and the production of quality nurses. The department and each approved program or accredited program shall comply with requests for data from the Florida Center for Nursing and the education policy area of the Office of Program Policy Analysis and Government Accountability.

(a) The education policy area of the Office of Program Policy Analysis and Government Accountability shall evaluate program-specific data for each approved program and accredited program conducted in the state, including, but not limited to:

1. The number of programs and student slots available.
2. The number of student applications submitted, the number of qualified applicants, and the number of students accepted.
3. The number of program graduates.
4. Program retention rates of students tracked from program entry to graduation.

5. Graduate passage rates on the National Council of State Boards of Nursing Licensing Examination.

6. The number of graduates who become employed as practical or professional nurses in the state.

(b) The Florida Center for Nursing shall evaluate the board's implementation of the:

1. Program application approval process, including, but not limited to, the number of program applications submitted under subsection (1); the number of program applications approved and denied by the board under subsection (2); the number of denials of program applications reviewed under chapter 120; and a description of the outcomes of those reviews.

2. Accountability processes, including, but not limited to, the number of programs on probationary status, the number of approved programs for which the program director is required to appear before the board under subsection ~~(5) (6)~~, the number of approved programs terminated by the board, the number of terminations reviewed under chapter 120, and a description of the outcomes of those reviews.

(c) For any state fiscal year in which the Florida Center for Nursing does not receive legislative appropriations, the education policy area of the Office of Program Policy Analysis and Government Accountability shall perform the duties assigned by this subsection to the Florida Center for Nursing.

(11) ACCREDITATION REQUIRED.—

(a) A nursing education program that prepares students for the practice of professional nursing, that was approved under this section before July 1, 2014, and that enrolled students before July 1, 2014, must become an accredited program by July 1, 2019.

(b) A nursing education program that prepares students for the practice of professional nursing and that was approved under this section before July 1, 2014, but did not enroll students before that date, must become an accredited program within 5 years after the date of enrolling the program's first students.

(c) A nursing education program that prepares students for the practice of professional nursing and that is approved under this section after June 30, 2014, must become an accredited program within 5 years after the date of enrolling the program's first students.

(d) This subsection does not apply to a nursing education program provided by an institution that is exempt from licensure by the Commission for Independent Education under s. 1005.06(1)(e).

Section 5. Subsection (1) of section 456.014, Florida Statutes, is amended to read:

456.014 Public inspection of information required from applicants; exceptions; examination hearing.—

(1) All information required by the department of any applicant shall be a public record and shall be open to public inspection pursuant to s. 119.07, except financial information, medical information, school transcripts, examination questions, answers, papers, grades, and grading keys, which are confidential and exempt from s. 119.07(1) and shall not be discussed with or

made accessible to anyone except the program director of an approved program or accredited program as provided in s. ~~464.019(6)~~ ~~464.019(7)~~, members of the board, the department, and staff thereof, who have a bona fide need to know such information. Any information supplied to the department by any other agency which is exempt from the provisions of chapter 119 or is confidential shall remain exempt or confidential pursuant to applicable law while in the custody of the department or the agency.

Section 6. This act shall take effect July 1, 2014.

TITLE AMENDMENT

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to nursing education programs; amending s. 464.003, F.S.; revising definitions; conforming a cross-reference; amending s. 464.008, F.S.; requiring graduates of approved prelicensure nursing education programs who do not take the licensure examination within a specified period after graduation to complete a specified course; authorizing the board to adopt rules; amending s. 464.013, F.S.; exempting nurses who are certified by an accredited program from continuing education requirements; amending s. 464.019, F.S.; specifying the location of clinical training; revising the limitation on the percentage of clinical training that may consist of clinical simulation; revising calculation of the required graduate passage rate for approved programs; requiring an approved program to require graduates who do not take the licensure examination within a specified period after graduation to complete a specified course; providing additional requirements for a remediation plan; authorizing the board to extend probationary status for a program that has demonstrated adequate progress toward its graduate passage rate goal; providing for the recalculation of passage rates when students are transferred from a terminated program; deleting obsolete requirements; authorizing the Board of Nursing to adopt certain rules relating to documenting the accreditation of nursing education programs; revising the terms of an implementation study; requiring nursing education programs that prepare students for the practice of professional nursing to be accredited; providing an exception; amending s. 456.014, F.S.; conforming a cross-reference; providing an effective date.

Rep. Pigman moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for SB 256—A bill to be entitled An act relating to public records; creating s. 916.1065, F.S.; creating an exemption from public records requirements for a forensic behavioral health evaluation filed with a court; providing a definition for the term "forensic behavioral health evaluation"; providing retroactive application; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

On motion by Rep. Gibbons, the House agreed to substitute CS for SB 256 for CS/CS/HB 111. Under Rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for SB 358—A bill to be entitled An act relating to athletic coaches for youth athletic teams; amending s. 943.0438, F.S.; revising the definition of the term "athletic coach"; expanding provisions relating to athletic coaches for independent sanctioning authorities to require such authorities to conduct specified background screening of certain coaches of youth athletic teams; providing that the duty may not be delegated; providing for disqualification; providing for exemption from disqualification; requiring that specified documentation be maintained for a specified period by such authorities; providing an effective date.

—was read the second time by title.

On motion by Rep. S. Jones, the House agreed to substitute CS for SB 358 for CS/HB 139. Under rule 5.13, the House bill was laid on the table.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS for CS for SB 1672—A bill to be entitled An act relating to property insurance; amending s. 626.621, F.S.; providing additional grounds for refusing, suspending, or revoking a license or appointment of an insurance agent, adjuster, customer representative, or managing general agent based on the acceptance of payment for certain referrals; amending s. 626.854, F.S.; prohibiting a public adjuster or public adjuster apprentice from choosing the persons or entities that will perform repair work; amending s. 627.351, F.S.; postponing the date that new construction or substantial improvement is not eligible for coverage by the corporation; deleting reference to the Residential Property and Casualty Joint Underwriting Association with respect to issuing certain residential or commercial policies; requiring the corporation to cease offering new commercial residential policies providing multiperil coverage after a certain date and continue offering commercial residential wind-only policies; authorizing the corporation to offer commercial residential policies excluding wind; providing exceptions; specifying the amount of the surcharge to be assessed against personal lines, commercial lines, and coastal accounts to cover a projected deficit; requiring the corporation's board to contract with the Division of Administrative Hearings to hear protests of the corporation's decisions regarding the purchase of commodities and contractual services and issue a recommended order; requiring the board to take final action in a public meeting; revising the date for submitting the annual loss-ratio report for residential coverage; amending s. 627.3518, F.S.; defining the term "surplus lines insurer"; requiring the corporation to implement procedures for diverting ineligible applicants and existing policyholders for commercial residential coverage from the corporation by a certain date; deleting the requirement that the corporation report such procedures to the Legislature; authorizing eligible surplus lines insurers to participate in the corporation's clearinghouse program and providing criteria for such eligibility; conforming cross-references; providing that certain applicants who accept an offer from a surplus lines insurer are considered to be renewing; repealing s. 627.3519, F.S., relating to an annual report requirement for aggregate net probable maximum losses; amending s. 627.35191, F.S.; requiring the corporation to annually provide certain estimates for the next 12-month period to the Legislature and the Financial Services Commission; amending s. 627.711, F.S.; prohibiting a mitigation inspector from offering or delivering compensation, and an insurance agency, agent, customer representative, or employee from accepting compensation for referring an owner to the inspector or inspection company; authorizing an insurer to exempt a uniform mitigation verification form from independent verification under certain circumstances; providing that the form provided to the corporation is not subject to verification and the property is not subject to reinspection under certain circumstances; amending s. 817.234, F.S.; prohibiting a contractor from paying, waiving, or rebating a property insurance deductible; providing penalties; providing effective dates.

—was read the second time by title.

Representative Nelson offered the following:

(Amendment Bar Code: 344503)

Amendment 1 (with title amendment)—Between lines 68 and 69, insert: Section 1. Paragraph (b) of subsection (1) of section 624.4625, Florida Statutes, is amended to read:

624.4625 Corporation not for profit self-insurance funds.—

(1) Notwithstanding any other provision of law, any two or more corporations not for profit located in and organized under the laws of this state may form a self-insurance fund for the purpose of pooling and spreading liabilities of its group members in any one or combination of property or casualty risk, provided the corporation not for profit self-insurance fund that is created:

(b) Requires for qualification that each participating member receive at least 75 percent of its revenues from local, state, or federal governmental sources or a combination of such sources, or qualify as a publicly supported organization under s. 501(c)(3) or s. 4947(a)(1) of the United States Internal Revenue Code that normally receives a substantial part of its support from a governmental unit or from the general public as evidenced on the organization's most recently filed Internal Revenue Service Form 990 or 990-EZ, Schedule A.

TITLE AMENDMENT

Remove line 2 and insert:

An act relating to property and casualty insurance; amending s. 624.4625, F.S.; revising requirements for corporations not for profit to qualify to form a self-insurance fund; amending s.

Rep. Nelson moved the adoption of the amendment. Subsequently, **Amendment 1** was withdrawn.

Representative Nelson offered the following:

(Amendment Bar Code: 930989)

Amendment 2—Remove lines 88-89 and insert:
submission to an insurer in order to obtain property insurance coverage or establish the applicable property insurance premium.

Rep. Nelson moved the adoption of the amendment, which was adopted.

Representative Nelson offered the following:

(Amendment Bar Code: 877707)

Amendment 3 (with title amendment)—Remove line 103 and insert:
perform repair work in a property insurance claim.

TITLE AMENDMENT

Remove line 10 and insert:
or entities that will perform repair work in a property insurance claim;
amending s.

Rep. Nelson moved the adoption of the amendment, which was adopted.

Representative Nelson offered the following:

(Amendment Bar Code: 352263)

Amendment 4 (with directory and title amendments)—Remove lines 112-244

DIRECTORY AMENDMENT

Remove line 108 and insert:

Section 3. Paragraphs (b), (e), and (hh) of subsection

TITLE AMENDMENT

Remove lines 11-13 and insert:
627.351, F.S.; deleting

Rep. Nelson moved the adoption of the amendment, which was adopted.

Representative Diaz, J. offered the following:

(Amendment Bar Code: 578987)

Amendment 5 (with title amendment)—Remove lines 521-527 and insert:

(I) The surcharge shall be levied as a uniform percentage of the premium for the policy of up to 15 percent of such premium, which funds shall be used to offset the deficit.

TITLE AMENDMENT

Remove lines 22-25 and insert:

excluding wind; providing exceptions; requiring the

Rep. J. Diaz moved the adoption of the amendment, which was adopted.

Representative Artiles offered the following:

(Amendment Bar Code: 910027)

Amendment 6 (with directory and title amendments)—Between lines 656 and 657, insert:

(ii) The corporation must include the following provision in all residential and commercial residential policy forms:

"If the parties fail to agree to the amount of loss, either party may request an appraisal in writing to appraise the amount of loss. Each party shall choose a competent and independent appraiser within 20 days after receiving a written request from the other party. The two appraisers shall choose a competent and impartial umpire. If the appraisers do not agree upon an umpire within 15 days after each party chooses an appraiser, either party may request that the choice be made by a judge of a court of record in the state where the insured property is located. The appraisers shall separately set the amount of loss. If the appraisers submit a written report of an agreement to the corporation, the amount agreed upon shall be the amount of loss. If the appraisers fail to agree, the appraisers shall submit their amounts to the umpire. A decision agreed to by the two appraisers, or agreed to by the umpire and one appraiser, shall determine the amount of loss. Each party must pay its own appraiser and bear any other expenses of the appraisal and umpire equally with the other party."

DIRECTORY AMENDMENT

Remove line 109 and insert:

(6) of section 627.351, Florida Statutes, are amended, and paragraph (ii) is added to that subsection, to read:

TITLE AMENDMENT

Remove line 33 and insert:

residential coverage; requiring the corporation to include a statement on certain forms that informs policyholders of their appraisal rights in the event of a loss; amending s. 627.3518, F.S.;

Rep. Artiles moved the adoption of the amendment. Subsequently, **Amendment 6** was withdrawn.

Representative Diaz, J. offered the following:

(Amendment Bar Code: 595085)

Amendment 7 (with title amendment)—Remove lines 657-828

TITLE AMENDMENT

Remove lines 33-45 and insert:
residential coverage; repealing s.

Rep. J. Diaz moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 1109—A bill to be entitled An act relating to property insurance; amending s. 626.621, F.S.; prohibiting compensation, inducement, or reward from inspectors for referrals; providing applicability; amending s. 627.351, F.S.; requiring the Citizens Property Insurance Corporation's board to contract with the Division of Administrative Hearings to hear protests of the corporation's decisions regarding the purchase of commodities and contractual services and issue a recommended order; requiring the board to take final action in a public meeting; revising the date for submitting the annual loss ratio report for residential coverage; amending s. 627.3518, F.S.; defining the term "surplus lines insurer"; authorizing eligible surplus lines insurers to participate in the corporation's clearinghouse program and providing criteria for such eligibility; conforming cross-references; providing that certain applicants who accept an offer from a surplus lines insurer are considered a renewal; repealing s. 627.3519, F.S., relating to an annual report requirement relating to aggregate net probable maximum losses; amending s. 627.35191, F.S.; requiring the corporation to annually provide certain estimates for the next 12-month period to the Legislature and the Financial Services Commission; providing an effective date.

On motion by Rep. Wood, the bill was laid on the table.

THE SPEAKER IN THE CHAIR

Motion to Adjourn

Rep. Crisafulli moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene at 9:00 a.m., Wednesday, April 30, 2014, or upon call of the Chair. The motion was agreed to.

Messages from the Senate

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 225.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 325.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 487.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 511.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 605.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 641.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 685.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 807.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 809.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 817.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 863.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 885.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 911.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 915.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 919.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 929.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 931.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 949.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 951.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1023.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1065.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1131.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1143.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1145.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1199.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1297.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1335.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1337.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1367.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1373.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1399.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1401.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1441.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1443.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1445.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 7037.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 7051.

Debbie Brown, Secretary

The above bill was ordered enrolled.

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Caldwell:

Yeas—April 25: 767; April 28: 773

Rep. Crisafulli:

Yeas—April 28: 770

Rep. Gibbons:

Yeas to Nays—April 25: 746

Rep. Holder:

Yeas—April 25: 709, 728, 739, 744, 745, 756, 763, 764; April 28: 794

Rep. Hood:

Yeas—April 25: 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 767, 768; April 28: 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805

Nays—April 25: 728, 740, 751; April 28: 806

Rep. Hudson:

Yeas—April 23: 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672

Nays—April 23: 652

Rep. Rehwinkel Vasilinda:

Nays to Yeas—April 28: 806

Cosponsors

CS/CS/HB 569—Campbell

CS/HB 677—McGhee

CS/CS/HB 709—Nelson

CS/CS/HB 843—C. Watson

CS/CS/HB 1053—Rangel, C. Watson

CS/CS/HB 1191—Murphy, Slosberg, Stewart, B. Watson

HR 9023—Renuart

HR 9043—Renuart

HR 9055—Renuart

HR 9095—Renuart

HR 9113— Renuart

Excused

Rep. Raburn

The following Conference Committee Managers were excused in order to conduct business with their Senate counterparts: HB 5001, HB 5003, HB 5005, HB 5007 to serve with Rep. McKeel, Chair, and Rep. Crisafulli; Managers-at-Large: Reps. Baxley, Coley, Gibbons, Gonzalez, Holder, M. Jones, O'Toole, Rouson, Schenck, Thurston, Waldman, A. Williams, Workman, and Young; HB 5501, House Agriculture & Natural Resources/Senate General Government—Rep. Albritton, Chair, and Reps. Boyd, Broxson, Eisnaugle, S. Jones, Moraitis, Pafford, Raschein, Smith, Spano, Stewart, and C. Watson; HB 5101, House Education/Senate Education—Rep. Fresen, Chair, and Reps. Adkins, Ahern, Castor Dentel, Clarke-Reed, Fitzenhagen, Nuñez, Perry, Raburn, Reed, Stone, and Taylor; HB 5403, House Governmental Operations/Senate General Government—Rep. Ingram, Chair, and Reps. Antone, Danish, Harrell, Hutson, Nelson, Peters, Renuart, R. Rodrigues, and Saunders; HB 5201 and

HB 5203, House Health Care/Senate Health and Human Services—Rep. Hudson, Chair, and Reps. Combee, Cruz, J. Diaz, Gaetz, Hill, Magar, Murphy, Pigman, Richardson, and Wood; HB 5301, HB 5303, and SB 2510, House Justice/Senate Criminal and Civil Justice—Rep. McBurney, Chair, and Reps. Campbell, Cummings, Dudley, Grant, M. Jones, Kerner, La Rosa, Mayfield, Metz, and Pilon; SB 2514, House Transportation & Economic Development/Senate Transportation, Tourism and Economic Development—Rep. Hooper, Chair, and Reps. Artiles, Bracy, Caldwell, Fullwood, Goodson, Passidomo, Powell, Raulerson, Ray, and Rogers; Managers-at-Large: Reps. Baxley, Coley, Gibbons, Gonzalez, Holder, M. Jones, O'Toole, Rouson, Schenck, Thurston, Waldman, A. Williams, Workman, and Young.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 5:36 p.m., to reconvene at 9:00 a.m., Wednesday, April 30, 2014, or upon call of the Chair.

CHAMBER ACTIONS ON BILLS

Tuesday, April 29, 2014

CS/CS/HB	111 — Substituted CS/SB 256; Laid on Table, refer to CS/SB 256	CS for CS for SB	450 — Read 2nd time; Substituted for CS/CS/HB 1191; Placed on 3rd reading
CS/HB	139 — Substituted CS/SB 358; Laid on Table, refer to CS/SB 358	CS/HB	463 — Substituted CS/CS/SB 674; Laid on Table, refer to CS/CS/SB 674
CS/CS/HB	147 — Substituted CS/CS/SB 286; Laid on Table, refer to CS/CS/SB 286	SB	490 — Read 2nd time; Substituted for CS/CS/HB 401; Placed on 3rd reading
HB	189 — Substituted SB 374; Laid on Table, refer to SB 374	CS for CS for SB	674 — Read 2nd time; Substituted for CS/HB 463; Amendment 288775 adopted; Placed on 3rd reading
CS for CS for CS for SB	218 — Read 2nd time; Substituted for CS/HB 345; Placed on 3rd reading	CS for CS for CS for SB	702 — Read 2nd time; Substituted for CS/HB 745; Placed on 3rd reading
CS for CS for SB	230 — Read 2nd time; Substituted for CS/CS/HB 311; Amendment 462213 adopted; Placed on 3rd reading	CS for CS for SB	708 — Read 2nd time; Substituted for CS/CS/HB 743; Placed on 3rd reading
CS for SB	256 — Read 2nd time; Substituted for CS/CS/HB 111; Placed on 3rd reading	CS/HB	715 — Substituted CS/SB 762; Laid on Table, refer to CS/SB 762
CS for CS for CS for SB	272 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	743 — Substituted CS/CS/SB 708; Laid on Table, refer to CS/CS/SB 708
CS for CS for SB	286 — Read 2nd time; Substituted for CS/CS/HB 147; Placed on 3rd reading	CS/HB	745 — Substituted CS/CS/CS/SB 702; Laid on Table, refer to CS/CS/CS/SB 702
CS/HB	307 — Substituted SB 356; Laid on Table, refer to SB 356	HB	761 — Substituted SB 392; Laid on Table, refer to SB 392
CS/CS/HB	311 — Substituted CS/CS/SB 230; Laid on Table, refer to CS/CS/SB 230	CS for SB	762 — Read 2nd time; Substituted for CS/HB 715; Placed on 3rd reading
CS/HB	345 — Substituted CS/CS/CS/SB 218; Laid on Table, refer to CS/CS/CS/SB 218	CS for CS for SB	850 — Read 2nd time; Amendment 937491 adopted; Placed on 3rd reading
SB	356 — Read 2nd time; Substituted for CS/HB 307; Amendment 486775 adopted; Placed on 3rd reading	HB	903 — Laid on Table
CS/HB	357 — Laid on Table	CS/CS/HB	947 — Substituted CS/CS/SB 1070; Laid on Table, refer to CS/CS/SB 1070
CS for SB	358 — Read 2nd time; Substituted for CS/HB 139; Placed on 3rd reading	SB	1010 — Read 2nd time; Substituted for CS/HB 4017; Placed on 3rd reading
SB	374 — Read 2nd time; Substituted for HB 189; Placed on 3rd reading	CS for CS for SB	1036 — Read 2nd time; Substituted for CS/CS/CS/HB 1059; Amendment 788685 adopted; Placed on 3rd reading
SB	386 — Read 2nd time; Placed on 3rd reading	CS/HB	1057 — Substituted CS/SB 1142; Laid on Table, refer to CS/SB 1142
SB	392 — Read 2nd time; Substituted for HB 761; Placed on 3rd reading	CS/CS/CS/HB	1059 — Substituted CS/CS/SB 1036; Laid on Table, refer to CS/CS/SB 1036
CS/CS/HB	401 — Substituted SB 490; Laid on Table, refer to SB 490	CS for CS for SB	1070 — Read 2nd time; Substituted for CS/CS/HB 947; Placed on 3rd reading
CS/CS/HB	425 — Substituted CS/CS/SB 440; Laid on Table, refer to CS/CS/SB 440	CS/CS/HB	1109 — Laid on Table
CS for CS for SB	440 — Read 2nd time; Substituted for CS/CS/HB 425; Placed on 3rd reading	CS for SB	1140 — Read 2nd time; Substituted for CS/HB 7011; Placed on 3rd reading

CS for SB	1142 — Read 2nd time; Substituted for CS/HB 1057; Placed on 3rd reading	CS for SB	1642 — Read 2nd time; Substituted for CS/HB 7117; Amendment 337957 Failed; Placed on 3rd reading
CS/CS/HB	1161 — Temporarily postponed, on 3rd Reading	SB	1664 — Read 2nd time; Substituted for HB 7161; Placed on 3rd reading
CS/SJR	1188 — Read 2nd time; Placed on 3rd reading	CS for CS for SB	1672 — Read 2nd time; Amendment 930989 adopted; Amendment 877707 adopted; Amendment 352263 adopted; Amendment 578987 adopted; Amendment 595085 adopted; Placed on 3rd reading
CS for SB	1190 — Read 2nd time; Substituted for CS/HB 1397; Placed on 3rd reading	SB	1676 — Read 2nd time; Substituted for HB 7153; Placed on 3rd reading
CS/CS/HB	1191 — Substituted CS/CS/SB 450; Laid on Table, refer to CS/CS/SB 450	CS/HB	4017 — Substituted SB 1010; Laid on Table, refer to SB 1010
CS for SB	1238 — Read 2nd time; Substituted for CS/CS/CS/HB 1267; Placed on 3rd reading	CS/HB	7011 — Substituted CS/SB 1140; Laid on Table, refer to CS/SB 1140
CS/CS/CS/HB	1267 — Substituted CS/SB 1238; Laid on Table, refer to CS/SB 1238	CS/HB	7033 — Laid on Table
CS/CS/CS/HB	1269 — Substituted CS/CS/SB 1320; Laid on Table, refer to CS/CS/SB 1320	CS/HB	7085 — Substituted CS/CS/SB 1524; Laid on Table, refer to CS/CS/SB 1524
CS/CS/HB	1271 — Substituted CS/CS/SB 1308; Laid on Table, refer to CS/CS/SB 1308	CS/CS/HB	7087 — Substituted CS/CS/SB 1526; Laid on Table, refer to CS/CS/SB 1526
CS for CS for SB	1308 — Read 2nd time; Substituted for CS/CS/HB 1271; Placed on 3rd reading	CS/HB	7117 — Substituted CS/SB 1642; Laid on Table, refer to CS/SB 1642
CS for CS for SB	1320 — Read 2nd time; Substituted for CS/CS/CS/HB 1269; Placed on 3rd reading	HB	7125 — Substituted SB 1636; Laid on Table, refer to SB 1636
CS/HB	1397 — Substituted CS/SB 1190; Laid on Table, refer to CS/SB 1190	HB	7153 — Substituted SB 1676; Laid on Table, refer to SB 1676
CS for CS for SB	1524 — Read 2nd time; Substituted for CS/HB 7085; Placed on 3rd reading	HB	7161 — Substituted SB 1664; Laid on Table, refer to SB 1664
CS for CS for SB	1526 — Read 2nd time; Substituted for CS/CS/HB 7087; Placed on 3rd reading		
SB	1636 — Read 2nd time; Substituted for HB 7125; Placed on 3rd reading		

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